# USULI SHI‘ISM: THE EMERGENCE OF AN ISLAMIC REFORM MOVEMENT IN EARLY MODERN IRAQ AND IRAN

by

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ABSTRACT

Broadly speaking, this is a study in early modern socio-intellectual history. It seeks to trace the inception and development of one of the most powerful Islamic movements of the modern period: Usuli Shi‘ism. I also hope to contribute to a better understanding of the ideology and practice of the Usuli branch of Shi‘i Islam. My underlying argument suggests that the recent ascendancy of Shi‘i Islam is the culmination of a process incepted by Vahid Bihbihani (1706-1792) and his disciples, who revived a rationalist school of Islamic thought in the eighteenth century, which has become known as Usulism. Largely as a result of the Usuli reformation, the Shi‘i clerical establishment has gained unprecedented social, political, and economic power, especially in Iran, where high-ranking clerics (ayatollahs) have established a theocratic government since 1979. I argue that the Usuli revival and reform of Shi‘ism was part of a larger eighteenth century Islamic reformation that resulted from the decentralization and collapse of the early modern Islamic empires (i.e., Ottoman, Safavid, and Mughal).

Taking this process of political decentralization into account, most historians have argued that the early modern Middle East is best viewed as a period of decline. Rejecting the decline thesis as Orientalist, recent scholars have argued that an Islamic Enlightenment was taking place during this watershed period. Seeking to contribute to this debate, I employ a comparative approach to suggest that Sunni, Sufi, and Shi‘i Muslim scholars revived and reformed their traditions in direct response to the political destabilization of the Islamic world and directly contributed to the establishment of new

kingdoms in Saudi Arabia, Libya, and Iran respectively. I also argue that early modern reform movements, including Usulism, Wahhabism, and neo-Sufism, eventually evolved into organizations associated with Islamism or political Islam. This study, then, can be viewed as a case study in the field of modern Islamic movements.

My findings are largely based on the writings of the leaders of the Usuli movement, which are primarily written in Arabic and are mostly works in the field of Islamic law. Additionally, I have studied the Arabic and Persian biographical (*tabaqat*) literature written in the nineteenth and twentieth centuries, which extols the founders of the Usuli movement.

For Mona and Liya

my love and my world

"If you would understand anything, observe its beginning and its development."

- Aristotle

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# CHAPTER I

# INTRODUCTION

This study traces the initial development of one of the most powerful Islamic movements of the modern period, namely Usuli Shi‘ism. In the second half of the eighteenth century, a debate between Traditionist (Akhbari) and Rationalist (Usuli) scholars played out in southern Iraq in the Shi‘i strongholds of Karbala and Najaf. At its core, the Usuli-Akhbari dispute was a religio-intellectual debate in which the highest echelons of Shi‘i scholars argued over proper methodologies for textual exegesis, the permissibility and limits of interpreting the texts with the aid of reason (*ijtihad*), and the overall authority of Shi‘i scholars themselves. Although Akhbarism had been on the rise in the seventeenth and eighteenth centuries, Usulis emerged victorious by the late 1700s and have reigned supreme ever since. The impact of this debate has produced far-reaching results over the past two hundred years, illustrating that ideas have immense power. Naturally, the tenor of Shi‘i scholarship has changed as a result of Usuli success. Usulism has also greatly influenced the social and political fabric of the Shi‘i world.

This study focuses primarily on the establishment and early development of Usulism, which occurred during the late eighteenth and early nineteenth centuries. In other words, my discussion on the Usuli movement as a socio-intellectual movement is largely limited to the founder of modern Usulism, Vahid Bihbihani (1704-1791), and his disciples. Other than discussions on Shi‘i institutions, this is not a study in institutional

history. Therefore, I do not delve deeply into political or economic trends. However, I hope to provide enough political background to give the reader a general context for the topic at hand.

Scholars have recently proclaimed that a revival of Shiʻi Islam in Iran, Iraq, Lebanon and elsewhere has been underway for the past thirty years.[1] The most obvious reason for such a claim is the aftermath of the 1979 Islamic revolution in Iran that brought Usuli Shiʻi clerics to power. Shiʻi Muslims have also played a more central role in Iraqi society and politics since the 2003 American invasion and subsequent overthrow of Saddam Hussein. Additionally, Shiʻis, including Hezbollah, have played an increasingly important role in Lebanon, the current president of Syria (Bashar al-Assad) is a Shiʻi, and Shiʻi resistance has been steadily growing over the past few years in Bahrain, Saudi Arabia, and Yemen. Marshall Hodgson referred to the tenth/eleventh century as the "Shiʻi century." Only future historians will be able to assess whether the nineteenth/twentieth century, a millennium later, can also be considered a Shiʻi century. Certainly, Shiʻi influences in the Islamic world over the past three decades elicit mixed reviews at the moment. Additionally, many Shiʻis can still be considered under the rubric of a persecuted minority in the Islamic world. It is clear, though, that Shiʻism is on the rise in the Islamic world.

Shiʻism, like any other religion, is not monolithic. Shiʻis simply share a common tradition. At its core, this tradition is concerned with reverence to the Imams, whom Shiʻis believe are the rightful, infallible (*maʻsum*) successors of Muhammad, the prophet-founder of Islam. The majority of Shiʻis (Imamis or Twelvers) claim that there are a total

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[1] See for example Vali Nasr, *The Shia Revival: How Conflicts within Islam Will Shape the Future* (New York: W. W. Norton & Co., 2006).

of twelve Imams – the last of which, Muhammad al-Mahdi, has been in a state of spiritual occultation since 873 CE. In other words, the Mahdi (or Qa'im, lit. the one who will arise) did not die, but is not physically present in the world – although he allegedly may periodically manifest himself on the physical plane. According to Imami Shiʿis, the Mahdi will return on the awaited day and establish everlasting peace and justice in the world. Since the majority of Muslims believe that Jesus Christ will also return as the Messiah, Shiʿis often debate when and how the return of the Mahdi and the Messiah might play out. Interestingly, Mahmud Ahmedinejad (the current president of Iran) is part of a small order of Shiʿis that is actively awaiting the coming of the Mahdi.[2]

The second largest group of Shiʿis (Ismaʿilis or Seveners) claim that the seventh Imam is in occultation. Therefore, Ismaʿilis deny the legitimacy of the eighth through the twelfth Imams. Additional rifts as well as commonalities also exist among Shiʿi communities. However, they are beyond the scope of this study. Because I am primarily concerned with Usuli Shiʿism, the following will often refer to Imamis and Imamism simply as Shiʿis and Shiʿism respectively from here on, unless otherwise specified. This is not to say that all of these Shiʿis are Imamis or even Usulis. However, the majority of them are, especially in the Shiʿi heartland (Iran, Iraq, Lebanon).

Although some statistics show that Shiʿis are as little as 10% of the global Muslim population, this number obscures the importance of Shiʿi studies and the impact of Shiʿism in the Middle East. More Muslims live in South Asia (east of Iran) than in the Middle East, the historical and cultural heartland of Islam. South Asians are relative newcomers to Islam. The majority of South Asia has only been converted to Islam in the

[2] Abbas Amanat, *Apocalyptic Islam and Iranian Shiʿism* (New York: I. B. Taurus, 2009). Conferences and other activities are regularly held in Iran in order to discuss how to hasten the coming of the Mahdi.

past few centuries and most South Asian Muslims are Sunnis. The population of Shiʻis in South Asia is well below 10%, whereas in the Middle East, the percentage of Shiʻis is significantly higher (as much as 30%). This is not to say that there are not significant populations of Asian Shiʻis. Recent reports indicate that the number of Asian students in the Shiʻi seminaries (sing. *Hawza*) in Iran and Iraq have been steadily increasing.[3] The future can only tell how this might transform the Shiʻi world.

Iran, Iraq, and Lebanon make up the heartland of Usulism in particular and Shiʻism in general. Over 90% of Iranians are Shiʻis[4], the majority of whom are Usulis. Since the mid-twentieth century and especially since 1979, Iran has been the locus of the Shiʻi world. After Iran, the largest ethnic group of Shiʻis are Arabs, especially Iraqi[5] and Lebanese. Roughly 60% of Iraqis are Shiʻis, the majority of whom are Usulis and live in southern Iraq. Najaf and Karbala are among the oldest historical Shiʻi cities in the world. Today Najaf is the most important center of Shiʻism in the world after Qom, Iran. Additionally, Iraqi Shiʻis have benefited politically from the fall of the Saddam Hussein regime, in which Shiʻis were scarcely represented. Shiʻism is one of the three major confessional groups in Lebanon, in addition to Christianity and Sunnism. According to the Lebanese constitution, the Speaker of the Parliament is to be a Shiʻi, while the President is a Maronite Christian, and the Prime Minister is a Sunni. The Lebanese Shiʻi population is somewhat of a contentious issue because of Lebanon's confessional

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[3] No systematic study on the makeup of students at the Hawzas has been undertaken. My assessment on the rise of students in the Hawza is based on conversations with students currently in Qom and Najaf. However, for a general study on the Hawza see Robert Gleave, ed. *Knowledge and Authority in the Hawza* (Forthcoming).

[4] On contemporary Iranian Shiʻism, see Amanat, *Apocalyptic Islam*. On the conversion of Persians to Shiʻism, see Rula Abisaab, *Converting Persia: Religion and Power in the Safavid Empire* (New York: I. B. Tauris, 2004).

[5] On Iraqi Shiʻism, see Faleh A. Jabar, *The Shiʻite Movement in Iraq* (London: Saqi, 2003). and Yitzhak Nakash, *The Shiʻis of Iraq* (Princeton: Princeton University Press, 2003).

political system. Although a census has not been done in Lebanon since 1932, Shi‘is make up roughly a third of the total population. However, Lebanese Shi‘is are generally under-educated and politically under-represented.

Significant populations of Shi‘is exist in Syria, Bahrain, Saudi Arabia, North India, Pakistan, Afghanistan, and the gulf states.[6] Tens of thousands of Imami Shi‘is live in Syria, especially in Aleppo. The Syrian government has been dominated by the ‘Alawi Shi‘i family of the current President Bashar al-Assad since the early 1970s. Like Iran and Iraq, the majority of the population in Bahrain is Shi‘i. In fact, roughly two-thirds of Bahrainis, numbering approximately a million people, are Shi‘i. However, they have been ruled by the Sunni al-Khalifa family since the eighteenth century and have been socially and politically marginalized – largely because of the Bahraini government's fear of Shi‘is as a fifth column. The majority of Shi‘is in Saudi Arabia live in the oil-rich Ahsa province. The puritanical Sunni-Wahhabi Saudi government prohibits Shi‘is from openly practicing their faith. The epicenter of Shi‘ism in India is Lucknow, once the capital of the Shi‘i state of Awadh. In Pakistan, Shi‘is are roughly 15% of the total population and primarily reside in Lahore. In Afghanistan, Hazaras and many Tajiks are Shi‘is, although many have become refugees in Iran and Pakistan. The African Shi‘i community is primarily composed of Indian Khojas, who are organized under the Federation of Khoja Shia Ithna-Ashari (Twelver) Jamaats of Africa. The largest communities are in Tanzania, Kenya, and Uganda although none of these communities number above tens of thousands.

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[6] No significant academic studies have been done on Yemeni Shi‘ism or Bahrain Shi‘ism. However, for a general overview see chapter 14 of Moojan Momen, *An Introduction to Shi‘i Islam* (New Haven: Yale University Press, 1985). On North Indian Shi‘ism, see J. R. I. Cole, *Roots of North Indian Shi‘ism in Iran and Iraq: Religion and State in Awadh, 1722-1859* (Berkeley: University of California Press, 1988).

One of the central arguments I seek to make in what follows is that the recent ascendancy of Shi‘ism, especially in Iran, is partially the culmination of a process incepted by Vahid Bihbihani (1706-1792) and his disciples, who revived a rationalist school of Islamic thought (Usulism) in the eighteenth century. The overwhelming majority of clerics at the helm of power in Iran are Usulis and the network of Usuli Shi‘ism has been the most powerful Shi‘i organization in the world, although it is loosely structured and not necessarily unified. Outside the political sphere, the most important seat of power for Usulism is in Qom at the Shi‘i seminary (*hawza*), which is roughly comparable to the Vatican for Catholics. The oldest, yet currently second most important hawza is in Najaf,[7] followed by Karbala and Damascus. Part of the legacy of the Usuli movement, is that Shi‘i power is in the hands of competing supreme exemplars (sing. *marja‘ al-taqlid*), often referred to as Ayatollahs. Students flock to the hawzas from all over the world and are educated in the principles of Usulism under the guidance of Ayatollahs. Additionally, lay Shi‘is are required to pledge their allegiance (*taqlid*) to an Ayatollah of their choice, which includes following the legal judgments (sing. *fatwa*) of the Ayatollah and offering him a portion of their income (*khums*).

Given that Shi‘i Muslims, particularly clerics, have played a relatively limited role in politics over the course of Islamic history, the recent spike in the socio-political involvement of Shi‘i clerics is surprising. For much of Shi‘i history, clerics have rejected worldly affairs and political involvement as a sign of piety. Many Shi‘i scholars have also claimed that all governments are illegitimate until the promised Mahdi returns to establish everlasting peace and justice. Some scholars supported the dynastic rule of the

[7] On the hawza in Najaf, see Zackery M. Heern, “Myth or History: The Origins of the Hawza in Najaf.” in *The History and Development of the Hawza*. ed. Robert Gleave (Forthcoming).

successive Safavid and Qajar dynasties in Iran which accepted Shi‘ism as the state religion. However, others piously rejected the authority of successive Persian dynasts.

In order to appreciate this transformation in Shi‘i clerical authority, a critical understanding of the development of Usuli Shi‘ism from the eighteenth century onwards is crucial. My hope is that the following contributes to a greater understanding of the revival and transformation of Islam over the past few centuries. In an even broader sense, I will consider this project a success if it adds to the discourse on the intersections between tradition and change, religion and authority. The Shi‘i rationalist-traditionist dispute is certainly emblematic of the sociological forces of tradition and innovation. Usuli scholars since Vahid Bihbihani’s time have continued to cling rigorously to the Shi‘i tradition, but have transformed it to fit their role as supreme sources of knowledge and authority.

## Historiography of Shi‘ism

Shi‘i studies has undergone a monumental development over the past thirty years. The Islamic-Iranian revolution in 1979 catalyzed Western scholars (writing primarily in English as well as French and German) into producing a wealth of studies related to Twelver Shi‘ism. Initially, these studies were largely related to topics linked to the outcome of the revolution itself. Additionally, Shi‘ism has developed into a field of study of its own. It is on this tradition of scholarship that I seek to build and add more nuance to our understanding of the Shi‘i tradition.

Much of the literature on Shi‘i thought either presents Shi‘ism as essentially legalistic or essentially mystical. In other words, Shi‘i studies has a tendency to dichotomize Shi‘ism into its legalistic and mystical trends. Those emphasizing legalistic

Shi‘ism often focus on the Usuli-Akhbari divide and those emphasizing mystical Shi‘ism often focus on the relation between Shi‘ism and Sufism. Western scholars who emphasize legalistic trends within Shi‘ism are Hussein Modarressi, Robert Gleave, Devon Stewart, Norman Calder, and Etan Kohlberg. Scholars highlighting mystical trends are Seyyed Hossein Nasr, Henri Corbin, Mongol Bayat, Muhammad Amir-Moezzi, and Abdulaziz Sachedina. In many ways, these scholars represent the real divide that exists within Shi‘ism itself. However, placing too much emphasis on legalism ignores the long tradition of Shi‘i mysticism. Likewise, only focusing on mysticism may result in obscurantism.

I argue that neither the legalistic trend, nor the mystical trend can be separated from the historical reality of Shi‘ism, even if they represent two parts of the same whole. Although legalistic and mystical trends are not often combined by Shi‘i scholars themselves, both streams of thought represent the Shi‘i experience (see Chapter III). Claiming that one trend or the other is the “true” Shi‘ism would be essentialist. However, instead of debating which trend represents the “real” Shi‘ism, the historian must accept that both are the product of the Shi‘i tradition and therefore germane to it. This does not mean that Shi‘i scholars will not continue to argue that one side or the other is illegitimate. Indeed, this has been the case for much of Shi‘i history.

A third set of scholars tend to emphasize the relation between Shi‘ism and politics. This trend is largely a result of scholars’ attempts to make sense of the 1979 Islamic revolution in Iran in which the Usuli Shi‘i establishment assumed political power. The outstanding scholars working in this field are Hamid Algar, Amir Arjomand, Nikki Keddie, Rula Abisaab, Andrew Newman, and Mongol Bayat. A fourth trend in Shi‘i

scholarship is concerned with Shi‘i leadership and largely deals only with the highest echelon of the hierarchy of Shi‘i scholars, including mujtahids (legal scholars who issue independent judgments), marja‘s, and Ayatollahs. Scholars working in this field include Meir Litvak, Linda Walbridge, Juan Cole, and Abbas Amanat.

The most important primary sources for early modern Shi‘ism are the Arabic and (to a much lesser extent) Persian writings of Shi‘i clerics operating in this period. The majority of these works are treatises on Islamic law. These sources are a window into the development of Shi‘i Islam and lay out the fundamental ideas associated with Usulism. Of these texts, the majority of my attention is placed on the writings of Bihbihani and his immediate successors, whom I argue established the baseline for modern Usuli thought. Indeed, some of their writings are still being studied in the Shi‘i seminaries. Of additional import is the biographical (*tabaqat*) literature written in the nineteenth century by Usuli scholars. As Robert Gleave has already pointed out, tabaqat literature is often unscholarly and is written in the savior mold. However, this literature is critical to understand how Shi‘is interpret their own tradition (see Chapter I). Vahid Bihbihani’s grandson also wrote a family history, on which I heavily rely in constructing Bihbihani’s biography.[8]

## Historiography of Early Modern Islam

A striking feature of the historiography of early modern Islamic movements is the lack of reference to Shi‘ism and its scholarly-clerical representatives. Vahid Bihbihani and the Usuli movement fit easily within the mold of eighteenth century Muslim reformers and reform movements (see Chapter V). Bihbihani is the most obvious choice as a representative of the inaugurator of the early modern Shi‘i revival. Strangely though,

[8] Aqa Ahmad Bihbihani, *Mir‘at al-ahwal jahan-nama* (Tehran: Amir Kabir, 1370).

he has received little scholarly attention. It seems that Shi‘ism has remained outside most narratives because of an underlying assumption that the eighteenth-century Islamic reformation was a “Wahhabi” phenomenon in which reformers in various regions of the Islamic world either fully adopted Wahhabism or adapted a Wahhabi-type ideology to their tradition or regional movement. However, there is no basis to suggest that all reformers of this period were simply off-shoots of Wahhabism and that the most influential eighteenth century reformers mimicked the ideology or approach of Ibn ‘Abd al-Wahhab. Certainly, because the Wahhabi movement eventually occupied a pride of place in Mecca and Medina, it did have added influence on many reformers. However, a deeper study of early modern Islamic movements shows that they were diverse in nature and not all were directly linked to the Wahhabi movement. There is no evidence to suggest that Wahhabis had any direct influence on any Shi‘i scholar of import. In fact, Saudi-Wahhabi forces attacked the Shi‘i stronghold of Karbala in 1802, which has resulted in great animosity between Wahhabis and Shi‘is, the memory of which still incites anger among the Shi‘i faithful. To this day, Shi‘is and Wahhabis have an adversarial relationship.

Studies that discuss broad trends in early modern Islam often ignore developments in Shi‘ism altogether. For example, Fazlur Rahman’s *Islam* thoroughly discusses Sufi and Sunni reformist trends in Arabia, Africa, and Asia, but does not mention Iran, Iraq, or any Shi‘i movement.[9] Similarly, John Esposito’s widely studied *Islam and Politics* does not take Shi‘ism into account although an entire chapter is dedicated to “Revival and Reform,” which includes sections on Ibn ‘Abd al-Wahhab,

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[9] Fazlur Rahman, *Islam* (Chicago: University of Chicago Press, 2002).

Shah Wali Allah, and African jihad movements.[10] Esposito's only mentioning of Shi'ism in this chapter is to distinguish the difference between Sunni and Shi'i conceptions of the term Mahdi.[11] This discussion leads the reader to believe that the concept of a periodic Islamic renewer (*mujaddid*) is a Sunni one, not existent in Shi'ism. However, as I point out in Chapter I, Bihbihani is viewed by most Shi'is as the renewer of the twelfth Islamic century and the title of mujaddid is widely utilized by Shi'is. The one major exception to the general avoidance of Shi'ism in works dealing with eighteenth century Islam is John Voll, who briefly mentions Bihbihani and his role in establishing Usuli supremacy over the Akhbari school of Shi'ism.[12] Although Voll does not directly compare Bihbihani with other eighteenth century reformists, he is the only scholar working on eighteenth century Islam to include Sunnis, Sufis, and Shi'is in his narrative.

Many of the works on Shi'ism covering the period between 1500 and the present include a line or two regarding Bihbihani's significance as the modern reviver of the Usuli school of Shi'ism. However, most of these studies are confined to developments within Shi'ism and do not address Islam as a whole. Focusing entirely on Shi'ism carries the risk of encouraging a disconnect between Shi'i and Islamic studies, which may lead to the misnomer that Shi'ism has evolved in a vacuum – unconnected to Sunni, Sufi, and other Islamic trends. In chapter VI, therefore, I attempt to draw parallels between the Usuli movement and comparable early modern Sunni and Sufi movements.

The most important scholarship on early modern Shi'ism is the work of Robert Gleave, who has written extensively on Shi'i law and is the only western scholar to have

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[10] John L. Esposito, *Islam and Politics* (New York: Syracuse University Press, 1984).
[11] Esposito, *Islam and Politics*, 34.
[12] John Obert Voll, *Islam: Continuity and Change in the Modern World* (New York: Syracuse University Press, 1994), 82.

published a major work specifically on Vahid Bihbihani.[13] His *Inevitable Doubt* is an excellent comparison of the Islamic legal theories of Bihbihani and Yusuf al-Bahrani (d. 1777), the most accomplished eighteenth century Akhbari Shi‘i scholar. Additionally, Juan Cole, who has published extensively on Shi‘ism, has written a number of important works on early modern Shi‘ism in India and the Usuli-Akhbari dispute.[14] Meir Litvak's research on Shi‘i scholarship and finances in southern Iraq is also critical to an understanding of early modern Shi‘ism.[15] However, no scholar has written a serious study on the emergence of modern Usuli Shi‘ism or an assessment of the impact it has had on the Shi‘i world. This is the lacuna I hope to fill in what follows.

## Summary of Chapters

What accounts for the enhancement of the authority of Shi‘i clerics, once relegated to the collection of hadith reports? A transformation of this socio-political magnitude required an equally grand reinterpretation of clerical authority. From the eighteenth century, Shi‘i scholars began arguing for increased authority – and gradually appropriated the latent role of the Imams (such as declaring jihad and collecting charitable donations), which previous scholars had not already assumed. Usuli Shi‘i sources unanimously agree that Muhammad Baqir "Vahid" Bihbihani (1704 – 1791), was the primary catalyst for this sea change in Shi‘i authority. In Persian and Arabic sources

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[13] Robert Gleave, "The Akhbari-Usuli Dispute in *Tabaqat* Literature: The Biographies of Yusuf al-Bahrani and Muhammad Baqir al-Bihbihani," *Jusur*, 10, (1994): 79-109. *Inevitable Doubt: Two Theories of Shi'i Jurisprudence* (Leiden: Brill, 2000). *Scripturalist Islam: The History and Doctrines of the Akhbārī Shī'ī School* (Leiden: Brill, 2007).

[14] Juan Cole, *Roots*; "Indian Money and the Shi‘i Shrine Cities of Iraq 1786-1850," MES 22:4 October 1986, pp. 461-80; "Shi‘i Clerics in Iran and Iraq, 1722-1780: The Akhbari-Usuli Controversy Reconsidered," *Iranian Studies* 18:1 (1985): 7-34. Juan R. I. Cole and Momen, Moojan, "Mafia, Mob and Shi‘ism in Iraq: The Rebellion of Ottoman Karbala, 1824-1843," *Past and Present* 112 (1986): 112-143

[15] Meir Litvak, *Shi'i Scholars of Nineteenth Century Iraq: The 'ulama of Najaf and Karbala,* (Cambridge: Cambridge University Press, 1997); "The Finances of the 'Ulama Communities of Najaf and Karbala, 1796-1904." *Die Welt des Islams*, New Series, Vol. 40, Issue 1, (March, 2000).

he is often lauded as the "teacher of all" and as the "reviver" of the twelfth Islamic century (roughly eighteenth century CE). He is described as the one inspired by God to re-establish the dominance of the rationalist (Usuli) school of Shi'i thought. Similarly, Western-language sources suggest that Bihbihani was indeed responsible for settling the dispute between Shi'i rationalists (Usulis) and scripturalists (Akhbaris) in favor of Usulis. These issues are discussed in Chapter II, where I analyze the socio-historical factors that allowed Bihbihani's rationalist school to overcome the Akhbari establishment.

I argue that one of the primary reasons for the longevity of the Usuli school is that Bihbihani trained a powerful network of disciples. This is the topic of chapter III. Bihbihani's death coincided with the establishment of the Qajar dynasty in Persia at the end of the eighteenth century. Bihbihani's successors were heavily courted by the Qajar court, especially Fath 'Ali Shah (r. 1797-1834), to play a legitimizing role of the new government. Although they maintained a pious disdain for politics, Bihbihani's disciples supported the Qajars, for example, by declaring jihad against Russia. In return, Fath 'Ali Shah supported these clerics economically and recognized them as the supreme sources of religious and legal authority in the Persian Empire.

In chapter IV, I situate Bihbihani's thought into the Shi'i scholarly tradition. On the basis of a historical survey of Shi'i scholars, I argue that there are three sources of Shi'i knowledge and authority: religious texts (*naql*, i.e., Qur'an and hadith), rational thought (*'aql*), and divine inspiration (*kashf*). Based on these three sources, I present a periodization of Shi'i thought. Further, I argue that the thought of Bihbihani and his students adhered closely to the Shi'i rationalist tradition that had been developing for nearly half a millennium. Although Usuli legal theory was (and still is) solely based on

scripture (*naql*) and reason (*'aql*), Bihbihani and his disciples made use of divine inspiration (*kashf*) as a source of extra-scriptural authority. In other words, they derived knowledge on a legal-rational basis, but employed charismatic authority in order to bolster their legitimacy. This discussion continues in the following chapter (V), where I specifically focus on Bihbihani's methodology of producing perfect knowledge. I argue that his approach builds directly on the principles of Islamic law (*usul al-fiqh*) formulated by his rationalist predecessors and that his methodology was not new.

In the final chapter (VI), I situate Bihbihani and the Usuli revival into the wider context of the eighteenth century Islamic world. Recent scholars have presented competing metanarratives of the eighteenth century Middle East. I argue that political decentralization during this period contributed to an Islamic revival, which was generally divided among Sunnis, Sufis, and Shi'is. I compare Bihbihani's movement with that of Muhammad Ibn 'Abd al-Wahhab (1703-1792) and Ahmad Ibn Idris al-Fasi (1760-1837), arguing that these three figures established the most influential, enduring Shi'i, Sunni, and Sufi movements in the modern period. Each of these scholars established a widespread network of religious scholars that eventually created alliances with sources of economic and political power. These networks of Usulis, Wahhabis, and Idrisis contributed directly to the establishment of new kingdoms in Iran, Saudi Arabia, and Libya, respectively.

## Political Landscape of the Early Modern Islamic World

In addition to being a study of socio-intellectual history, I hope that this project also contributes to the field of eighteenth century studies, a historical period that is often viewed as a no man's land between medieval and modern history. As a result, our

understanding of the early modern period lags behind periods that are more neatly defined as classical, medieval, and modern. Transitional periods, such as the eighteenth century, are just as informative as "high" periods. For example, the transition from one dynasty or political administration to the next teaches us as much as the study of a golden age. In the case of Shi‘ism, the late eighteenth century is the key period that established precedents for how Shi‘ism would respond to the major questions of modernity. It is the historical moment in which Shi‘i scholars challenged the accepted norms of the medieval period and began the process of reinterpreting the Shi‘i tradition in an attempt to adapt it to modern challenges. Therefore, this project can also be considered as a case study in transitional history, specifically as it relates to the transition from medieval to modern.

Although I am primarily concerned with socio-intellectual history, the political changes of the early modern Islamic world must be clear from the outset. It is impossible to divorce social movements from their political milieu. Usuli Shi‘ism is no exception. I argue that the rise of Usulism was partially a response to the political decentralization that took place over the course of the eighteenth century. Therefore, a brief overview of the political scene in the Islamic world leading up to the eighteenth century is crucial here.

By the medieval period, Muslims had created one of the most enduring civilizations in world history and had achieved impressive feats in science, art, literature, politics, etc. The legacy of this period lives on in the poetry of Jalal al-Din Rumi (d. 1273), the medical achievements of Ibn Sina (d. 1037), and the creation of algebra by al-Khwarizmi (d. 850).

The era that followed, the early modern period, can roughly be situated between 1500 and 1800 CE. The key traits that define this period include: 1. the establishment of sea passages linking the entire world, 2. the technological diffusion of gunpowder, 3. and the division of societies into centralized imperial states. The introduction of gunpowder put an end to instability of military-patronage states, which controlled the Islamic world prior to the early modern period.[16] Gunpowder weapons were only possessed by central governments during this period because of the high cost associated with manufacturing them. Such technology allowed central governments to subdue internal factions and defend against invaders. Global trade increased dramatically during this period, but the majority of state revenue was still generated from agriculture. Central governments, therefore, controlled all of the land in the empire, but granted use of it in return for taxation.

During the early modern period, the Islamic world was divided between the Ottoman, Safavid, Mughal empires, often referred to by historians as quintessential "gunpowder states."[17] Each empire began as a small warrior tribal principality, but eventually expanded through conquest. Rulers of each empire were descendents of Turkish and Mongol peoples who had embraced Islam in the medieval period. Generally, conquered people were granted protected status (*dhimmi*) and were not required to convert to Islam. In return for protection, non-Muslims were required to pay the *jizya* tax, which allowed them to retain the beliefs, practices, and culture of their religious community (*millet*). As these gunpowder states grew, they developed complex political

[16] James L. Gelvin, *The Modern Middle East: A History* (New York: Oxford University Press, 2005).
[17] This term was coined by Marshall Hodgson. See for example, William H. McNeill, "The Age of Gunpowder Empires, 1450-1800," in Michael Adas, ed., *Islamic & European Expansion: The Forging of a Global Order* (Philadelphia: Temple University Press, 1993).

and military institutions. Military success was often fueled by the incorporation of slave troops imported from abroad. In all, the central governments oversaw the development of prosperous societies and patronized art and science.

The Ottoman Empire was the longest lasting of the three Islamic empires. The dynasty began with Osman Bey in 1289 and continued until 1923. But, it was only after the capture of Constantinople in 1453 that the Ottoman dynasty developed into an empire with a highly centralized state. After this point, the Ottoman Empire grew to control most of the Arab world as well as much of Eastern Europe. Ottomans were also the first Islamic Empire to gain access to gunpowder. Ottomans supported Sunni Islam as the state religion, which meant that Sunnis were appointed as judges and other stated functionary positions.

The Mughal Empire was another Islamic gunpowder state, established in northern India. The origin of the empire can be situated in 1526, when a descendent of both Tamerlane and Genghis Khan (Zahir al-Din Muhammad Babur, 1483-1530) established control of Delhi. Similar to the diversity of the population it ruled, Mughal governing elites were ethnically and religiously diverse. Different from Ottoman and Safavid populations, the majority of Mughal citizens were not Muslims. Unlike the people they ruled, the majority of the ruling class were Muslims, and government officials included Shi‘is, Sunnis, Hindus, central Asians, Arabs, Persians, Rajputs, Brahmans, and Marathas. Loyalty to the ruler, “expressed through Persianate cultural forms,”[18] was the glue that held the regime together. Akbar (r. 1556-1605), the architect of Mughal military and administrative institutions, is a good illustration of such loyalty as well as the

[18] Barbara D. Metcalf and Thomas R. Metcalf, *A Concise History of India* (Cambridge: Cambridge University Press, 2002).

religious complexity of the Mughal period. Akbar mixed concepts from Shi‘i, Sufi, Buddhist, Hindu, and other religious traditions to create a synthetic belief system known as the Divine Faith (*din-i ilahi*). Akbar welcomed ideas from every religious path and promoted himself as the head of the Divine Faith as well as the point of convergence for each of these traditions. Aurangzeb (r. 1659-1707) expanded the Mughal Empire across the entire Indian subcontinent. He also shifted away from Akbar's polices of pluralism in favor of a more fundamental reading of Islam. He used Islam to justify his imperial politics, but still relied on non-Muslims in his court.[19] Some historians pin the decline of the empire on Aurangzeb, but the reality is that the empire became too big to govern effectively. It began to break apart into smaller principalities and eventually fell into the hands of foreign British control. Overall, the Mughal period was one of intellectual and artistic output, often a result of cultural cross pollination.

The third Islamic gunpowder state, Safavid Iran, is closely related to the fate of early modern Shi‘ism. Therefore, more attention will be focused on the Safavids here than the above-mentioned Ottomans and Mughals. After discussing the political development of the Safavids here, their influence on Shi‘ism is also discussed at the outset of the following chapter (II). The origins of the Safavid Empire go back to a boy of fourteen years old, known as Isma‘il I (1587-1524), whose army gained control of Tabriz (the key city in northern Iran) in 1501. Isma‘il's father reportedly instructed his followers to wear a special red hat bearing twelve pleats, one for each of the twelve Imams. Therefore, Isma‘il's supporters became known as the "red heads" (*qizilbash*). Isma‘il took the ancient royal title of shah and adopted Imami Shi‘ism as the state religion.

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[19] Metcalf, *History of India*.

During the opening decade of the sixteenth century, Isma‘il and his Qizilbash warriors seized control of the Iranian plateau and beyond.

Shah Isma‘il was the scion of a Sufi order tracing its ancestry back to Safi al-Din (1252-1334), from whom the imperial title Safavid (*safavi*) was derived. Shah Isma‘il and successive Safavid shahs also claimed to be descendants of the seventh Shi‘i Imam. Initially, Shah Isma‘il even suggested that he was Muhammad al-Mahdi returned or even the incarnation of God. Isma‘il's successors asserted their authority as representatives of the Hidden Imam and therefore claimed entitlement to infallibility (*‘isma*). Qizilbash supporters fanatically accepted Isma‘il's claims. They even believed that he made them invincible in battle. Such extremist propaganda was alarming to Shah Isma‘il's Ottoman neighbors, who launched a full offensive against the Safavid startups. In 1514 Ottoman forces devastated the Qizilbash at the battle of Chaldiran, making use of artillery and firearms. The Qizilbash were aware of gunpowder technology, but rejected it because they believed the protective power of Shah Isma‘il was a stronger weapon. Gunpowder weapons also seemed unmanly to them, although the Safavids did adopt gunpowder after the battle of Chaldiran.

Shah Ismai'l's son, Tahmasb (1514-1576), was ten years old when he came to power. Until Tahmasb came of age, the Qizilbash controlled the state. Inter-Qizilbash wars broke out during the first ten years of Tahmasb's reign and Persia was attacked by the Ottomans under the control of Sultan Suleiman – in 1548 and 1554. By 1555 Sultan Suleiman and Shah Tahmasb reached the Amasya treaty, which lasted until 1578. Similar to Shah Isma‘il I, Shah Tahmasb's followers considered him a divine figure. However, different from his father, Tahmasb had no desire to play this role, which prompted him to

suppress Shiʻi extremism (*ghuluww*). He even crushed a Sufi faction that proclaimed him to be the Mahdi in 1554. Instead of Sufism, Shah Tahmasb promoted legalistic Imami Shiʻism by promoting scholars such as Muhaqqiq al-Karaki (d. 1533), who travelled throughout Iran to spread Imami Shiʻism.

The real architect of the Safavid Empire was Shah ʻAbbas the Great (r. 1588-1629). He moved to the more central city of Isfahan and transformed it into an impressive capital. Shah ʻAbbas also encouraged external trade, which was fueled at home by his monopoly on silk. Further, he rebuilt bureaucratic and military institutions, which allowed him to keep Ottoman forces at bay, drive out Portuguese merchants from the Hormuz Strait, and add the Caucasus and Iraq to the empire. Shah ʻAbbas continued the religious policies of his predecessors by suppressing Sufi orders and Shiʻi extremists. Shah ʻAbbas placed pressure on the Niʻmatu'llahi Sufis, with whom the Safavids had initially allied, until they eventually relocated to India. ʻAbbas also built several seminary schools in Isfahan and encouraged scholars from Jabal ʻAmil and Bahrain to study and teach there. As a result, Isfahan subsequently became the primary center of Shiʻi learning. The School of Isfahan (see chapter IV) also arose during this period. By the end of Shah ʻAbbas's reign, claims of the divinity of Safavid kings were fading.

By the eighteenth century, each of these empires was in the process of political disintegration or decentralization. The Safavid Empire fell in 1722 at the hands of Sunni Afghan invaders, which resulted in an interregnum that did not end until 1798 when the Qajars reunified the Persian Empire. After 1725, the Mughal Empire began to fragment politically and was eventually colonized by the British. Although the Ottoman Empire did not fall until 1918, it was in a process of fragmentation and decentralization after the

second half of the eighteenth century. Eventually, all three dynasties were ruled by weak rulers and fell victim to court infighting. Sectarianism also played a role in weakening governmental authority. Economically, each empire began to wane as well. Foreign trade decreased and often came under the control of European powers. No longer in their expansion phase, each empire also faced the reality of maintaining elaborate military and administrative systems with fewer resources. Additionally, at a time in which Europe was entering a phase of great cultural, economic, and technological advancement, the Islamic world did not always adopt new ideas and inventions such as the printing press.

## Islamic Movements and the Decline-Enlightenment Debate

As Dana Sajdi has pointed out, narratives describing the early modern Middle East, particularly the Ottoman Empire, have focused almost entirely on the decline of the empire.[20] Sajdi suggests that although the Middle East may have undergone a process of political decentralization, everything associated with Islamic society and culture was not necessarily in a state of freefall. Peter Gran[21] and Reinhard Schulze[22] also reject the decline thesis, arguing that it is based on Orientalist assumptions. Instead, they declare that the transformation of the eighteenth century Islamic world was the beginning of an Islamic Enlightenment. However, most scholars, including Bernd Radtke[23] and Rudolph Peters,[24] have rejected their Enlightenment theory. My position is that reducing the

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[20] Dana Sajdi, *Ottoman Tulips, Ottoman Coffee: Leisure and Lifestyle in the Eighteenth Century* (London: Tauris Academic Studies, 2007), 2.

[21] Peter Gran, *Islamic Roots of Capitalism: Egypt, 1760-1840* (New York: Syracuse University Press, 1998).

[22] Reinhard Schulze, "Das islamische achtzehntes Jahrhundert: Versuch einer historiographischen Kritik," *Die Welt des Islams*, New Series, Bd. 30, Nr. ¼ (1990), 140-159. Reinhard Schulze "Was ist Die Islamische Aufklarung?" *Die Welt des Islams*, New Series, Vol. 36, Issue 3, (Nov., 1996): 276-325.

[23] Bernd Radtke, "Erleuchtung und Aufklarung: Islamische Mystik und europaischer Rationalismus," *Die Welt des Islams*, New Series, Vol. 34, Issue 1 (Apr., 1994): 48-66.

[24] Rudolph Peters, "Reinhard Schulze's Quest for an Islamic Enlightenment," *Die Welt des Islams*, New Series, Bd. 30, Nr. ¼ (1990): 160-162.

eighteenth century Islamic world to terms such as "decline" or "Enlightenment" is simplistic and does not add to a well-rounded understanding of the processes taking place in the early modern Islamic world.

It is more accurate to suggest that the political decentralization and fragmentation of the eighteenth century Islamic world gave rise to new social, cultural, religious, and political trends. Wahhabism, Usulism, and neo-Sufism represent socio-religious trends that develop during this period. As John Voll points out, political ineffectiveness, military defeats, and economic difficulties inspired a reconstruction of Islamic society.[25] It is clear that Islamic learning and scholarship was on the rise in the eighteenth century and the influence of Muslim clerics took a quantum leap throughout much of the Islamic world. Islamic reformations that began in this period, then, are directly correlated to political decentralization. Muslim scholars were attempting to provide answers to the challenges of a changing socio-political landscape and began filling voids in power.

Much of the confusion of associating the term Enlightenment with eighteenth century Islamic movements is that Enlightenment suggests both emancipation from tradition and acceptance of rational sciences. Neither of these are universal themes of the Islamic reformation in the eighteenth century. Most scholars actually embraced a return to tradition and some rejected reason altogether. Therefore, the terms revival and reform are more apt than Enlightenment, Renaissance, or decline in describing eighteenth century Islamic trends. After all, every reform-minded Muslim scholar was engaged in reviving and reforming a tradition within Islam.

An additional point of confusion in the historiography of modern Islamic movements is the assumption that they developed in reaction to the West or were

[25] Voll, *Islam*, 29.

attempts to reconcile Islam with modernity. Further, one might jump to the conclusion that the acceptance of rational thought, as in the case of the Usuli movement, must be a sign of the adoption of European Enlightenment philosophy. However, such assertions do not take into account the long tradition of rational thought in Islamic history and are often based on a Euro-centric view of world history.

In order to designate a scholar's or movement's reaction to the West, descriptors are often applied to modern Muslim scholars in order to specify their relational stance to the West. For example, Jamal al-Din al-Afghani (1838-1897) and Muhammad 'Abduh (1849-1905) are considered as accommodationists, whereas Ruhullah Khomeini (1902-1989) and the Muslim Brotherhood are termed rejectionists. Such designations are not useful for early modern Islamic reformers (including Bihbihani, Ibn 'Abd al-Wahhab, and Ibn Idris) because these scholars were not concerned with the West. If anything, they should be considered as "ignorers" of the West.[26] Ibn Idris, for example, was in Cairo when Napoleon Bonaparte invaded Egypt in 1798. However, his writings make no mention of the French incursion. The overwhelming majority of inhabitants of the Eurasian continent, east of Europe proper, simply were unaware of and unconcerned with the eighteenth century transformations that were taking place within Europe. Even to a fault, Middle Easterners and Asians thought Europe had nothing to teach them because it had been in the dark ages for so long.

Eighteenth century Islamic movements were concerned almost entirely with issues internal to Islamic society. As John Esposito puts it, "[Islamic] revivalism was primarily a response from within Islam to the internal sociomoral decline of the

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[26] O'Fahey has already argued this fact for Ibn Idris. R. S O'Fahey, *Enigmatic Saint, Ahmad Ibn Idris and the Idrisi Tradition* (Evanston: Northwestern University Press, 1990), 5.

community."[27] This is illustrated by the fact that the enemies of early modern Islamic reformers were Muslims who resisted their reform efforts – not Europeans, Christians, or others living outside the Islamic world. As discussed in chapter VI, Ibn ‘Abd al-Wahhab demonized the Sunni establishment in the Arabian Peninsula, Ibn Idris attacked popular Sufism, and Bihbihani declared that all Akhbari Shi‘is were infidels (*kuffar*). Western influence in the Islamic world was not yet felt in the eighteenth century to the same extent that it was in the following centuries. The argument that eighteenth century Islamic revival and reform movements were reactionary to the West, then, is anachronistic.

It should also be noted that because the Wahhabi, Usuli, and Idrisi movements were established on the eve of modernity and European colonization of the Middle East and North Africa, they eventually influenced responses to the growing Western presence in the region. More precisely, these Islamic movements were in a position to respond to the West in the nineteenth and twentieth centuries and are still vastly influential in defining the post-colonial Islamic world. When Western-style modernization projects did not pan out, heads of the reform movements were there to criticize them – especially when modernization meant secularism or adoption of Western ideas and institutions that were not germane to the Islamic tradition. This does not mean that the successors of eighteenth century reformers rejected everything modern or Western. In fact, leaders of the Usuli movement provided leadership for a successful indigenous constitutional movement in Iran at the turn of the twentieth century. Still today, the most anti-Western Islamic movements are very supportive of adopting technology developed in the West. As will be discussed in the final chapter (VI), these Islamic movements also evolved along two important lines – political and terrorist.

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[27] Esposito, *Islam and Politics*, 32.

CHAPTER II

# VAHID BIHBIHANI: AN EIGHTEENTH CENTURY ISLAMIC REFORMER

## Transformations in Shi‘ism during the Safavid Period

Three major phases in the religion of the Safavids are discernable. The first phase was the charismatic, mystical Sufism of Shah Isma‘il and his Qizilbash supporters discussed above. The second phase was the Safavid adoption of the legalistic, rationalist Shi‘ism that has come to be known as Usulism. This shift occurred relatively early in the Safavid period following Shah Isma‘il's adoption of Shi‘ism as the state religion. The third stage began in the mid-Safavid period and was the development of traditionist Akhbarism. Throughout this process, the Safavid state largely retained its control on the Imami Shi‘i establishment. This does not mean that Shi‘i institutions were not powerful. However, religious officials were appointed by the state. The most important Shi‘i institution during the Safavid period was that of the "head cleric" (*mullabashi*).

Although they did not act as a unified ethnic group, Qizilbash amirs shared the goal of preserving the state and their powerful role as government functionaries.[1] The erosion of Qizilbash Islam was gradual and even involved two civil wars (1524-1536 and 1576-1590). Some Qizilbash elite, though, were convinced that legalistic Islam was useful for the state. The Safavid order was generally interested in reconciling Qizilbash

[1] Abisaab, *Converting*, 20.

animism and Sufism with the legalistic Imami Shi‘i tradition. To serve this process, Safavid Shahs created official court positions for ‘ulama who had been trained in Shi‘i law. The Safavids invited Shi‘i scholars specifically from the Jabal ‘Amil region of southern Lebanon to implement Shi‘i policies. The conventional view is that this process resulted in a migration of ‘Amili scholars to Safavid Iran.[2] Andrew Newman rejects the notion that a “migration” took place at all and that the number of scholarly emigrants to Safavid Iran has been overestimated. He suggests that most Arab scholars actually rejected the Shi‘i project of the Safavids, which was carried out by a few unorthodox Arab scholars.[3]

Arabs were certainly not flocking in large numbers to aid the Safavid government in implementing its Shi‘i policies. Therefore, Newman is right to challenge the notion of an exodus of Arab Shi‘i scholars to Iran. However, it is clear that a select number of ‘Amili scholars (some of whom did not represent orthodox views) were vastly influential in the Safavid government throughout the Safavid period. Abisaab offers several proofs and reasons that Safavid Shahs supported the migration of ‘Amili scholars. Among them, the following are convincing: 1. Jabal ‘Amil’s prominence was recognized in Persia by the fourth century, and by the sixteenth century Jabal ‘Amil had surpassed Hilla, Karbala, Najaf, and Mosul as centers of Imami Shi‘i learning. 2. ‘Amilis were knowledgeable of Sunni doctrines, which was useful for Safavid polemics against Ottoman Sunnis. 3. Abisaab cites a Safavid court historian, who lamented that Persians were unknowledgeable about Shi‘i law in the sixteenth century and that no Shi‘i legal texts

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[2] Abisaab, *Converting*. Albert Hourani, “From Jabal ‘Amil to Persia”, *Bulletin of the School of Oriental and African Studies*, University of London, v. 49, No. 1 (1986): 133-140.
[3] Andrew Newman, “The Myth of Clerical Migration to Safawid Iran: Shiite Opposition to ‘Ali al-Karaki and Safawid Shiism,” *Die Welt des Islams* 33 (1993): 66-112.

were circulating during his time. 4. Shah Tahmasb said only a mujtahid from Jabal ‘Amil would occupy the position of shaykh al-Islam. 5. Legalistic Shi‘ism was more suitable to the demands of government than millenarian, mystical Qizilbash. 6. Unlike Shi‘i scholars in Iraq, Persia, Bahrain, and Qatif, ‘Amilis made use of ijtihad.[4] 7. ‘Amili scholars were struggling to financial support themselves as they were not welcomed in the Ottoman legal system.[5]

The first ‘Amili scholar to occupy an official position in the Safavid government was Muhaqqiq al-Karaki (d. 1533). Karaki proved to be vastly influential in the establishment of Shi‘ism in Safavid Iran, even though his views are hardly representative of his scholarly contemporaries. Most biographical dictionaries cite Karaki as an Usuli, no doubt because he supported the use of ijtihad. Shah Isma‘il I invited him and additional Shi‘i scholars to preside over the Shi‘ification of Persia. After visiting the court of Isma‘il several times, he moved to the Safavid capital towards the end of Shah Isma‘il’s reign.[6] Tahmasb bestowed the title “Seal of the Mujtahids” on Karaki and recognized him as the Imam’s deputy (*na’ib*). In many ways, Karaki represents the process of implementing legalistic Shi‘ism as the state religion during the early Safavid period. One of Karaki’s first orders of business was to encourage the effort of converting Persians from Sunnism to Shi‘ism. As a legally minded jurist, he defined Shi‘ism on the basis of scriptural exegesis carried out by mujtahids such as himself. However, he did not embrace Islamic mystical and folk traditions, be they Shi‘i or Sunni. He even wrote treatises refuting mystical trends. He gave these works insidious titles, such as “Refuting the Criminal Invectives of Mysticism” (*Mata’in al-mujrimiyya fi radd al-sufiyya*), which

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[4] Abisaab, *Converting*, 10-13.
[5] Abisaab, *Converting*, 22.
[6] Abisaab, *Converting.*

is a refutation of Sufism, and "Breath of Divinity in Cursing Magic and Idolatry" (*Nafahat al-lahut fi la'n al-jibt wa al-taghut*), which is aimed at Sunnism.[7] Karaki also revived the practice of publicly cursing (*tabarra'iyan*) the first two Caliphs, Abu Bakr and 'Umar, who are highly respected by Sunnis.

For a full century after Karaki's death, his successors continued his policy of utilizing reason (*'aql*) and personal judgment (*ijtihad*) as methods to reinterpret Shi'i texts. By the seventeenth century, scholars began criticizing these "rationalist" (Usuli) scholars, suggesting that they were whittling away at the Shi'i tradition. These "traditionists" (Akhbaris) saw the necessity of recovering the true spirit of Shi'ism by reverting to un-interpreted texts. In other words, they wanted scripture to be restored as the supreme source of Shi'i authority. In this sense, the Akhbari movement was a challenge to the authority of rationalist clerics, who had been implementing their interpretation of Shi'ism. The first traditionist to articulate the Akhbari critique was Muhammad Amin al-Astarabadi (d. 1036/1627), who, in his polemical *Fawa'id al-madaniyya*, condemned rationalist scholars for having mimicked the Sunni model of jurisprudence, which accepted principles such as ijtihad that went beyond the textual sources.

Safavid officials began to support Akhbarism. Akhbarism proved useful to an established government because it encouraged a literal, homogenous interpretation of Shi'ism, just as Usulism proved useful to a government on the rise because it allows for a reinterpretation of existing norms. As Abisaab suggests,

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[7] Abisaab, *Converting*, 24 and 27.

> If interpretive rationalism served the militant expanding empire in the sixteenth century…then traditionism seemed more suitable for a religiously stable empire with modest military goals and erosion in the power of its monarchs."[8]

This pattern of the ebb and flow of rationalism and traditionalism in a dynastic context is a good general rule. However, it cannot be taken as a law of history or an inevitability since the path of history is the product of so many factors. Taking the Qajar period into account, early Qajar monarchs did, in fact, find Usulism to be useful and supported Usuli scholars – as will be discussed in the following chapter. However, Akhbarism was not revived in the middle Qajar period and has not made a comeback to this day. Only time will tell when traditionism will be revived.

By the second half of the seventeenth century a chief religious dignitary (*sadr*) of the Safavid court claimed that there were no Iranian or Arab Shiʻi mujtahids (Usulis) in the world during his time.[9] Although it is unlikely that there were absolutely no mujtahids during this time, Akhbaris were certainly on the rise during the remainder of the Safavid period. Akhbaris became prominent in the Shiʻi centers of Iraq in the seventeenth century and by the time Vahid Bihbihani migrated to Karbala in the 1760s, Akhbaris in Najaf and Karbala were outright hostile to Usulis.

The last mullabashi of the Safavid period was Muhammad Baqir Majlisi (d. 1110/1699 or 1111/1700), who is often credited for popularizing Shiʻism in Iran. He is often cited as the most prominent Shiʻi scholar in the entire Safavid period. In his efforts to spread Shiʻism to the masses, he launched a government-supported campaign persecuting those whom he viewed as heretical, especially Sunnis and Sufis. In retaliation, Sunni Afghans toppled the Safavid dynasty by capturing its capital in Isfahan

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[8] Abisaab, *Converting*, 111.

[9] Cited in Hossein Tabatabai Moddarressi, "Rationalism and Traditionalism in Shiʻi Jurisprudence: A Preliminary Survey." *Studia Islamica*, No. 59 (1984): 155.

in 1722. Majlisi's father and predecessor as mullabashi (Muhammad Taqi Majlisi, d. 1070/1659-60) was an avowed Akhbari. However, Majlisi II avoided the designation of Usuli or Akhbari and famously claimed to travel the middle way (*tariq al-wusta*) between the two schools. Majlisi II has been posthumously claimed both by Usulis and Akhbaris. His work reinforces the idea that he did not favor either school. If anything, he was a marginal Akhbari. His *Bihar al-anwar* is the most extensive collection of Shi'i hadith material of its time and he accepted a number of central Akhbari doctrines, including the idea that unbelievers can be transmitters of a just hadith.[10]

The Usuli-Akhbari debate evolved into a power struggle during the 72 year interregnum between the Safavid (1501-1722) and Qajar (1794-1925) dynasties that successively ruled Iran and adopted Shi'ism as the state religion. The fall of the Safavid capital of Isfahan at the hands of Sunni Afghans in 1722 exacerbated the Akhbari-Usuli conflict in part because Shi'i scholars were now forced to survive independently of state sponsorship. In the wake of the Afghan attack, many families who were associated with the Shi'i establishment in Isfahan fled the capital. A large number of them, including Vahid Bihbihani, took refuge in the Shi'i centers of learning in southern Iraq (Najaf and Karbala), which were dominated by Akhbari scholars at the time.

## Rationalists and Traditionists

The trends represented by Usulism (rationalism) and Akhbarism (traditionism) are not confined to Shi'ism. The debate between proponents of the rationalist and the traditionist (or scripturalist) approach to jurisprudence has been integral to the

[10] For further discussion on Muhammad Baqir Majlisi's position in the Akhbari-Usuli dispute, see Robert Gleave, *Scripturalist Islam: The History and Doctrines of the Akhbari Shi'i School* (Leiden: Brill, 2007).

development of Islam as a whole in the post-classical period.[11] Rationalists advocated the use of *ijtihad*, which can be understood as the effort expended by a jurist (*mujtahid*) to apply the principles of legal theory (*usul al-fiqh*) in order to discover God's law (*shari'a*). Rationalists argued that ijtihad is necessary for the purpose of issuing judgments on new cases (i.e., that are not explicit in the Qur'an or Hadith). Traditionists (or "people of hadith") were primarily concerned with the study of transmitted reports (*ahadith* or *akhbar*). They generally rejected the use of ijtihad and instead favored the process of following precedent (*taqlid*).

Apart from possessing its own intellectual significance, this debate also had considerable social, political and religious ramifications. Toward the end of the eleventh century, some Islamic scholars began to suggest that ijtihad, and therefore mujtahids, were no longer necessary. They based their claim on the idea that Islam would not last more than a millennium and that it must degenerate prior to the Day of Judgment. This led scholars to contemplate the possibility of the extinction of mujtahids.[12] After the end of the 'Abbasid caliphate in 1258, however, Muslims were very much aware that the only institution still representing the unity of the Islamic community was that of the religious scholars (*'ulama*).

This institution did not possess a noticeable hierarchical structure and consisted primarily of those who possessed the leisure and income to become specialists in matters pertaining to law and theology. It was a loose corporate body of scholars, some of whom

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[11] For a historical overview of Shi'i jurisprudence see Hossein Modarressi, "Rationalism and Traditionalism." Modarressi largely equates Shi'i jurisprudence with Usulism. For a historical overview of this question in Sunni jurisprudence see Wael Hallaq, "Was the Gate of Ijtihad Closed?" *IJMES* 16 (1984): 3-41.

[12] Wael Hallaq, "On the Origins of the Controversy about the Existence of Mujtahids and the Gate of Ijtihad," *Studia Islamica*, No. 63 (1986): 137.

filled positions in the various Islamic states as judges, market inspectors, and jurisconsults but who, in their large majority remained outside the state, often even in opposition to it. Not surprisingly, therefore, post classic religious scholars discussed among themselves the most effective ways through which they could define their role as representatives of Muslim unity, even though they lacked the institutional means to implement their ideas politically.

Judges in the Safavid, Ottoman, and Mughal empires had to use ijtihad in order to interpret the law according to new circumstances, giving religious sanction to the use of gunpowder, tobacco, and coffee, for example. However, the majority of religious scholars had come to the conclusion that innovation (*bida'*) was blameworthy. They scrupulously avoided any departure from precedents set in the preceding centuries. Therefore, the number of mujtahids decreased significantly in the sixteenth and seventeenth centuries. In the early modern period, a minority of ʻulama began to question the doctrine of blameworthy innovation and advocated the use of ijtihad.

## Post-Safavid Interregnum and Shiʻism

The Ghalza'i Afghans who had overthrown the Safavid dynasty spent twenty five years trying to establish rule, but turned out to be unskilled statesmen. In 1736 Nadir Shah (r. 1736-1747) succeeded in ousting the would-be Afghan rulers and establishing his own Afsharid dynasty, but failed to bring stability to Iran, partially as a result of his anti-Shiʻi policies. Although his tribe adhered to Shiʻism, Nadir Shah immediately endeavored to limit the authority of Shiʻi ʻulama by confiscating charitable endowments (sing. *waqf*), including schools (sing. *madrasa*) and mosques. Even more untenable to Shiʻis, he promoted a policy of pan-Islamism and attempted to establish Shiʻism as a fifth

legal school (*madhhab*), added to the four existing Sunni schools of thought. Nadir Shah's position, therefore, was tantamount to the rejection of the fundamental Shi'i claim that the Imams were the sole interpreters of Islam, which accounts for the primary difference between Sunnis and Shi'is.[13]

Pursuing his goal, Nadir Shah made several attempts to persuade Ottoman officials to accept Ja'far al-Sadiq (the sixth Imam) as the founder of the fifth Islamic legal school, appoint an Iranian Amir al-Hajj to accompany Persian pilgrims to Mecca, and to agree to the erection of a fifth column on the Ka'ba in Mecca (signifying the acceptance of Ja'fari law). After Ottoman officials rejected his plan in 1741, Nadir Shah's troops captured Baghdad. Two years later he arranged a conference in Najaf. He requested Ahmad Pasha, the governor of Baghdad, to send a Sunni representative. He sent Shaykh 'Abdullah al-Suwaydi (d. 1760), a prominent Sunni scholar from Baghdad. Mulla 'Ali Akbar, Nadir Shah's mullabashi, represented the Shi'i position. After a public debate, the Sunni and Shi'i representatives signed four declarations (one of which was written by Nadir Shah) stating that Ja'fari Shi'ism was the fifth Islamic legal school. However, both sides seem to have been acting in fear of Nadir Shah. The Shi'i 'ulama were exercising dissimulation (*taqiyya*) and Suwaydi only came to the conference as a result of threats from the Shah.[14] Most importantly, Ottoman officials were also not persuaded, which meant that the four signed declarations were dead letters.

Although it is unthinkable that either the Ottomans or the Shi'i 'ulama would have accepted the ecumenical designs of Nadir Shah, this episode illustrates that Shi'ism

[13] For more on Nadir Shah, see Michael Axworthy. *The Sword of Persia: Nader Shah, from Tribal Warrior to Conquering Tyrant* (London: I.B. Taurus, 2009).
[14] Hamid Algar, "Shi'ism and Iran in the Eighteenth Century," in *Studies in Eighteenth Century Islamic History*. Thomas Naff and Roger Owen, eds. (Carbondale: Southern Illinois University Press, 1977), 294.

in the mid-eighteenth century was at a crossroads. On one hand, it had largely taken hold on the Persian masses and the Shi‘i clerical establishment had become an important part of Shi‘i society. On the other hand, Nadir Shah showed that the fate of Shi‘ism was inextricably tied to the state. Therefore, Nadir Shah’s attempts to weaken the status of Shi‘ism was something of a litmus test that would prove how strong or weak the Shi‘i establishment was (or could become). The fact that many clerical families, such as the Bihbihanis, were willing to move out of Isfahan (which was diminished as a center of Shi‘ism after the fall of the Safavids) to places where they could preserve their status as the guardians of Shi‘ism, is an early indicator that the Shi‘i establishment would become more independent of the state instead of bowing to outside pressure. First, though, it would have to overcome doctrinal conflicts that hindered clerics from asserting their authority over Shi‘is.

Following Nadir Shah, Karim Khan Zand briefly established order in Iran after 1750. Instead of appealing to the Shi‘i establishment for religious sanction, the Zands endeavored to limit the function of the ‘ulama. Karim Khan did show a commitment to Twelver Shi‘ism, however, but ultimately lacked legitimacy required to establish long-term rule. Therefore, stability did not return to Iran until Aqa Muhammad Khan achieved Qajar supremacy (see Chapter III) following the death of Karim Khan Zand in 1779. Although Karim Khan Zand was not interested in religion, he did make an effort, albeit in a conventional manner, to come across as a patron of Shi‘ism by including religious sayings (e.g., *sahib al-zaman*) on coins and building mosques and shrines. He also appointed a shaykh al-Islam in Shiraz, his capital, but did not designate a mullabashi. Karim Khan viewed students of theology and akhunds, who previously relied on state

patronage, as parasites.[15] However, unlike Nadir Shah, he did not meddle in religious affairs, which allowed Vahid Bihbihani and others to assert their independence.

Vahid Bihbihani and the Usuli Shiʻi Revival

Vahid Bihbihani is universally hailed in Shiʻi sources as the "renewer" (*mujaddid*) of Shiʻi Islam in the twelfth Islamic century (eighteenth century CE). The concept of a mujaddid is based on the prophetic report (*khabar*) that "God sends at the turn of each century a man who renovates for this community the maters of its religion."[16] According to Western-language scholarship as well as the Shiʻi tradition, Vahid Bihbihani single-handedly put an end to the Akhbari-Usuli dispute. In Shiʻi biographical dictionaries he is unanimously described as the person who liberated Shiʻism from the stifling Akhbari school of thought that was dominant in Iraq for much of the eighteenth century. Bihbihani reports that when he entered Karbala in the 1760s, Akhbaris were so dominant that those who were caught with Usuli texts ran the risk of being beaten. However, by the time he died, less than thirty years later, Akhbaris were completely routed from the city and the Akhbari school was almost completely defunct. In its place, Bihbihani and his followers established the dominance of the rationalist Usuli school of thought.

The most important long-term consequence of the Usuli victory was that henceforth clerics played a more central role in Shiʻi society and the clerical hierarchy became more stratified. Bihbihani's disciples were in a position to assert their independence when the Qajar dynasty consolidated political rule in Iran towards the end

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[15] John R. Perry, *Karim Khan Zand: A History of Iran, 1747-1779* (Chicago: University of Chicago Press, 1979), 221.
[16] Quoted in Hallaq, "Was the Gate," 27-8.

of the eighteenth century. This network of clerics dominated all Shi‘i centers in Iran and Iraq in the first half of the nineteenth century and amassed unprecedented religious, social, and economic power. The Usuli interpretation of Shi‘ism and the powerful position of Shi‘i clerics continued throughout the nineteenth century. Bihbihani’s successors led a movement that culminated in the establishment of one of the first constitutional governments in the Islamic world in Iran at the beginning of the twentieth century. The Iranian government’s subsequent attempts at secularizing Iranian society in the twentieth century seemed to have curbed the influence of the Usuli establishment until the Islamic revolution in Iran in 1979, which brought Usuli clerics to power.

Although Vahid Bihbihani laid the foundations for modern Shi‘i leadership and promoted the school of thought that is unquestionably the most dominant force in Shi‘i Islam, he has received little scholarly attention, not only from Western scholars but also from Shi‘is. Therefore, it is not immediately clear how Vahid Bihbihani, apparently single-handedly, caused such a drastic sea change in Shi‘i leadership in such a short time. The following, then, will examine the extent to which socio-historical factors played a role in Bihbihani’s overthrow of the Akhbari establishment. I will argue that the victory won by Usulis was more of a pragmatic one and was not necessarily an attempt by Shi‘i scholars to modify fundamental principles of Shi‘ism. Vahid Bihbihani’s success was a result of his ability to marshal financial and political resources and train a cadre of disciples that spread his school of thought throughout the Shi‘i world. He also benefited from the timely death of Yusuf al-Bahrani (the most prominent Akhbari scholar during Bihbihani’s lifetime) in 1772 and a plague that swept Iraq in the same year.

## A Biography of Vahid Bihbihani

A fair account of Vahid Bihbihani's biography is difficult to write because of the dearth of undisputable biographical information about him. For the most part, everything we know about him has been passed down by his students and descendants. Each of these sources was interested in projecting their predecessor in the best possible light. Therefore, most of the vignettes about Bihbihani were written for the purpose of showing his piety, innate knowledge, and leadership qualities. Nevertheless, it is possible to construct a fairly accurate picture of Bihbihani. Although Shi'i biographical dictionaries (*tabaqat*) written in the nineteenth century are largely hagiographical and heresiographical accounts of Shi'i scholars, they are invaluable sources because they contribute significantly to the formation of popular Shi'i opinion.

Significantly, Vahid Bihbihani was the nephew of the above-mentioned Muhammad Baqir al-Majlisi (Majlisi II), arguably the most important Shi'i scholar of the Safavid period. Bihbihani's father, Muhammad Akmal Bihbihani, was a student of Majlisi II. However, it is through Vahid's mother that he is a direct descendant of the Majlisi family. Muhammad Baqir Majlisi's father was Vahid Bihbihani's mother's grandfather. In many ways, Vahid Bihbihani has been projected by Shi'i historians as the successor of his uncle. Just as Majlisi II is cited as the renewer (*mujaddid*) of the eleventh century, Bihbihani is universally accepted by Usuli Shi'is as the renewer and reviver (*murawwij*) of the twelfth Islamic century and the founder (*mu'assis*) of the thirteenth century.[17] A famous poem written by Shaykh 'Abdullah Mamaqani clearly illustrates this fact: "Bihbihani is the teacher of mankind, and the renewer of the school [Usuli Shi'ism]

[17] Some Shi'i sources, including the major biographical dictionaries of the nineteenth century, claim that Vahid Bihbihani was the renewer of the thirteenth Islamic century since he lived until 1308 AH. According to most of Bihbihani's, however, he is the renewer of the twelfth century.

in the Twelfth century" (*al-Bihbihani mu'allam al-bashar, mujaddid al-madhhab fi al-thani 'ashar*).[18] Bihbihani himself explains this concept, saying that Shi'i mujtahids will come every hundred years during the occultation of the Hidden Imam in order to promote the true religion.[19] This principle was also repeated by Bihbihani's students, including Bahr al-'Ulum in *al-Fawa'id al-rijaliyya*. Lists of the renewers of each century differ slightly but appear in important works, such as *Firdus al-tawarikh* and *Jam' al-usul*, which were both written after Bihbihani's time.[20] In both of these lists, Vahid Bihbihani appears as the twelfth renewer.

Majlisi II's primary qualification as a reviver was that he popularized Shi'ism among Safavid subjects and Bihbihani's was that he nearly eradicated Akhbaris from the Shi'i community, establishing Usulism as the most influential Shi'i school of thought. In *Rawdat al-jannat*, Muhammad Baqir Khwansari explains the importance of this act by saying that the opinions of the Akhbaris were the same as those in the age of ignorance (*jahiliyya*) and Bihbihani eliminated them with his rationalist approach to Shi'ism.[21] Therefore, taking the reviver paradigm into account, Bihbihani's importance to Shi'i history is second only to the Imams and is on par with the revivers of other centuries. An understanding of Bihbihani (as well as the other renewers), then, is essential to the history, thought, and leadership of Shi'ism.

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[18] Shaykh 'Abdallah Mamaqani, *Nukhbat al-maqal*, unpublished. Quoted in Ahmad Bihbihani, *Mir'at al-ahwal jahan-nama* (Tehran: Amir Kabir, 1370), 146, and 'Ali Davani, *Aqa Muhammad Baqir Bin Muhammad Akmal Isfahani ma'ruf bih Vahid Bihbihani* (Tehran: Amir Kabir 1983), 130.
[19] Vahid Bihbihani, *al-Risala al-akhbar wa al-ijtihad* (Tab'-i Mahalli, 1895), quoted in Davani, *Aqa Muhammad*, 129.
[20] The following is a combined list from these two books in chronological order from the first century until Bihbhihani's time (the number preceding the name illustrates the century they represent). Notice that the first two are Imams: 1. Imam Muhammad Baqir 2. Imam Reza 3. Shaykh Kulayni 4. 'Ilm al-Hadi Murtaza or Shaykh Mufid 5. Ibn Shahrashub Mazindarani 6. Ibn Adris Hali 7. 'Allama al-Hilli 8. Shahid al-Awwal 9. Shaykh 'Abd al-'Ali Karaki 'Amali 10. Mulla 'Abdalla Shushtari or Majlisi I 11. Muhammad Baqir Majlisi (II) 12. Vahid Bihbihani.
[21] Muhammad Baqir Khwansari, *Rawdat al-jannat fi ahwal al-'ulama wa as-sadat.* 8 vols. Beirut, 1991, 93.

‘Ali Davani, Vahid Bihbihani’s modern biographer, suggests that Bihbihani is also a descendant of Shaykh al-Mufid (948-1022, see Chapter IV), who is cited as a renewer of the eleventh century as a result of his leading role in establishing a rationalist approach to Shi‘ism. However, as ‘Ali Davani himself points out, there are no indications from Bihbihani’s own writings, including the diplomas (*ijazas*) he wrote for his students, that his family tree includes Shaykh al-Mufid.[22] Davani does not provide a firm basis for claiming that Bihbihani is a descendent of al-Mufid. Why then is there an insistence that Bihbihani was his descendant? Both Shi‘i and Sunni contemporaries considered Shaykh al-Mufid as the most outstanding scholar of his time, largely because of his development of Islamic theology (*kalam*).[23] Further, Bihbihani, like his alleged predecessor, endeavored to establish a rationalist approach to Shi‘ism at a time when traditionists dominated Shi‘i learning. Therefore, the assertion that Bihbihani was a descendant of Shaykh al-Mufid establishes that his knowledge was passed down through successive generations by the founder of the Usuli school of thought. If Bihbihani was a descendant of Mufid, there is no evidence from his writings that he was aware of it.

Vahid Bihbihani was born between 1116/1704 and 1118/1706 in Isfahan, which was the most prominent center of Shi‘i learning throughout much of the Safavid period. His father (Muhammad Akmal) named him Muhammad Baqir, apparently after his own teacher, Majlisi II. Vahid is a title that Bihbihani acquired later in life, which simply means unique. And he became known as Bihbihani only after living in Bihbihan, a small town in southern Iran. He first traveled to Bihbihan and the ‘Atabat (shrine cities in southern Iraq, i.e., Karbala and Najaf) with his father in 1134/1722, most likely as a result

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[22] Davani, *Aqa Muhammad*, 95. Davani bases his claim that Bihbihani is a descendant of Shaykh al-Mufid on a notation from Sayyid Ja‘far A‘raji Kazemayni Baghdadi in *al-Asas fi insab al-nas.*
[23] See Martin McDermott, *The Theology of Al-Shaykh al-Mufid* (Beirut: Dar el-Machreq, 1986).

of the Afghan invasion of Isfahan that took place the same year. It is unknown how long they stayed in each of these places, but from this time Bihbihan was adopted as the new hometown of many of Bihbihani's relatives. During this period Bihbihani was studying with his father. Therefore, there is a direct scholarly link between Bihbihani and Majlisi II. It is uncertain whether Vahid Bihbihani received a diploma (*ijaza*) from his father, although in his ijaza to Bahr al-Ulum, he does mention his father as one of his teachers. According to one of his students, Bihbihani studied the traditions (*akhbar*) with his father and therefore knew more about Akhbari teachings early in his life.[24] Given that his father's teacher (Majlisi II) was one of the most famous Hadith collectors of his time, this seems plausible. This is where any scholarly connection linking Bihbihani to Shaykh al-Mufid breaks down. Bihbihani certainly read Mufid's writings and that of his Usuli successors and was influenced by them (which will be discussed further below), but this knowledge was not transmitted through Bihbihani's father.

After his father died, Bihbihani went to Najaf, at which time he was about eighteen years old. He studied rational sciences with the Usuli scholar Sayyid Muhammad Tabataba'i Burujirdi, who was his aunt's son.[25] Bihbihani also married the daughter of his teacher, with whom he had his first son, Muhammad 'Ali Bihbihani, who was born in Karbala in 1144/1732.[26] Bihbihani later studied the Traditions with Sayyid Sadr al-Din al-Qummi. As a result, Bihbihani adopted the Akhbari school and according to his grandson, he even became passionate about it and worked hard to learn as much as he could about Akhbari teachings.[27] In the course of his study, however, he is reported to

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[24] Sayyid Muhammad Hasan Zunuzi, *Riadh al-jinnat*, unpublished. Cited in Davani, *Aqa Muhammad*, 135.
[25] Bihbihani, *Mirat al-ahwal*, 147.
[26] Ibid.
[27] Ibid., 148.

have compared Akhbari and Usuli teachings. Bihbihani's student explains that after a complete study he became enlightened, and therefore chose the Usuli view and realized the invalidity of Akhbaris. Therefore, he dedicated his life to fighting Akhbari doctrines and spreading Usuli teachings.[28] Bihbihani's grandson simply says that he chose the way of ijtihad (Usulism) and started promoting it as a result of his steadfastness.[29]

The foregoing illustrates that Bihbihani could have chosen to be an Akhbari or an Usuli and suggests that he simply selected the school of thought that was more suitable to him. Therefore, he must have either thought that an Usuli interpretation was closer to the truth or that it suited the needs of the Shi‘i community better. This runs counter to the idea that he and other Iranian immigrants in the Iraqi shrine cities were reverting to the Usulism of their Isfahani forefathers. It would have actually been easier for Bihbihani to remain an Akhbari. As a proponent of Usulism he was part of the minority in the ‘Atabat and ran the risk of being persecuted. Also, there is no mention of Usulis in the ‘Atabat during Bihbihani's time other than his own students and relatives.

<u>Vahid Bihbihani's Career in Bihbihan</u>

Soon after Vahid Bihbihani's first child was born in 1732, his family moved back to Bihbihan, where he stayed for the next thirty years or so. Bihbihan is a small town in southern Iran, close to the shrine cities of southern Iraq. In a politically tumultuous time, it was off the map of competing tribal forces. In the 1730s Bihbihan was the stronghold

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[28] Zunuzi, *Riadh al-jinnat*. Cited in Davani, *Aqa Muhammad*, 135.
[29] Bihbihani, *Mir‘at al-ahwal*, 148.

for the Kuhgilu tribe, which was semiautonomous but allied with Nadir Shah against Muhammad Khan Baluch.[30] It was also on a trade route connected to the port of Daylam.

Bihbihani's move out of the 'Atabat seems to be predicated on Nadir Shah's invasion of southern Iraq and occupation of Shi'i holy places, including Najaf, Karbala, Hilla, and Samara in 1732. By this time Bihbihani was in his late twenties, he was probably finished with his studies in the 'Atabat, and therefore ready to begin a career as a teacher-cleric. It is unclear whether he had accepted the Usuli doctrine by this time, but if he had, he would have had a difficult time promoting it in the Iraqi shrine cities. According to Davani, Bihbihani moved to Bihbihan in order to oppose the Akhbaris.[31] His claim is largely based on the fact that Bihbihan was heavily populated with Akhbaris, especially immigrants from Bahrain. Yusuf al-Bahrani, whom Bihbihani later challenged for his position in Karbala, had lived there and promoted Akhbarism there previously. Although this could have been a further incentive in Bihbihani's decision to move, it is more plausible that he moved to Bihbihan (and not somewhere else) because he had lived there previously with his father. Members of his family also lived in Bihbihan, including one of his cousin's who was teaching in the seminary there.[32]

Regardless of his decisions to move, Bihbihan proved to be fruitful ground for Bihbihani. He was able to make powerful alliances there, which surely enhanced his prestige. The city of Bihbihan was divided into two major neighborhoods, Qanavat and Bihbihan. Initially Bihbihani had settled in Qanavat, which was the poorer of the two areas. However, people from both subsections began claiming that Bihbihani was from

[30] Laurence Lockhart, *Nadir Shah: A Critical Study Based Mainly upon Contemporary Sources* (London: Luzac, 1938), 77-78.
[31] Davani, *Aqa Muhammad*, 112.
[32] Davani, *Aqa Muhammad*, cited in Cole, "Shi'i Clerics," 16.

their side,[33] which indicates that he was a popular teacher. Bihbihani's grandson recalls his charismatic qualities, saying that he was a great speaker and storyteller and that people would often retell his stories.[34] Eventually a merchant and family member (Hajji Sharafa Bihbihani) invited Vahid Bihbihani to teach in Bihbihan.[35] As a result of the generous offer, Bihbihani was now able to afford to live in the wealthier part of town. Vahid Bihbihani also married the merchant's daughter.[36] He entered another marriage alliance after the village leader (*kadkhoda*) of Bihbihan offered his daughter to him.[37] Through these two marriages, Bihbihani was able to create alliances with the most powerful political and economic forces in Bihbihan, which was crucial for his movement. As noted above, his first wife (the daughter of Sayyid Muhammad Tabataba'i Burujirdi) linked him to the Shi'i establishment in Najaf and Karbala. Therefore, he had a strong socio-religious, financial, and economic base of support, which emboldened his anti-Akhbari activities.

Not surprising, Bihbihani began publishing anti-Akhbari tracts during this time, including *al-Risalat usalat al-bara'a*, *Risalat al-qiyas* (Treatise on Analogical Reasoning), *Risalat hujjiyyat al-ijma'* (Treatise on the Proof of Consensus), and his most famous anti-Akhbari treatise *Risalat al-ijtihad wa al-akhbar* (Treatise on ijtihad and akhbar). Although Bihbihani's thought will be discussed in chapter V, a few comments should be made here about the fundamental Usuli principles that Bihbihani was promoting. He argued that all laymen must choose a living clerical scholar (*mujtahid*) and follow his legal opinions. In fact, Usulis argued that this is a legal obligation (*taklif*) of all

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[33] Davani, *Aqa Muhammad*, 120.
[34] Bihbihani, *Mir'at al-ahwal*, 147.
[35] Davani, *Aqa Muhammad*, 120.
[36] Bihbihani, *Mir'at al-ahwal*, 147.
[37] Davani, *Aqa Muhammad*, 121

believers. Likewise, a mujtahid must produce an opinion (*zann*) to the best of his ability by searching the texts (Qur'an and Hadith) for an indicator (*dalil*), which suggests what God's rule is on the matter. According to Bihbihani, the ruling that a mujtahid produces may not actually result in absolute truth, but it is the closest approximation that is possible in a legal system that is devoid of an infallible guide such as an Imam. Usulis argue that even if the textual sources are silent on an issue or if contradictions are found in the texts, a ruling is still needed. Therefore, some measure of reason may be necessary to produce a judgment. Akhbaris contended that this system gives mujtahids unwarranted authority. Instead, they endeavored to expand the canon of textual sources, for example by accepting traditions that are not widely known (e.g. *akhbar al-ahad*). In this way, Akhbaris tried to minimize the need for judgments based on reason, ensuring a textual basis for every judgment.

Although the majority of Shi‘is in Bihbihan were Akhbaris, Bihbihani was able to attract followers. Because there is no information on these followers, it is impossible to determine if his Usuli ideals took root in the city while he lived there. Because the major disagreements between Usulis and Akhbaris primarily concerned the authority of the ‘ulama, it is unlikely that lay Shi‘is were influenced much by Bihbihani's Usulism. Further, there is no evidence to suggest that Bihbihani was challenged by Akhbari scholars in Bihbihan.

## Vahid Bihbihani's Move Back to Karbala

After having made alliances during his thirty year stay in southern Iran, Bihbihani (now in his late 50s) decided to move back to the ‘Atabat. As mentioned above, many clerics from Isfahan and elsewhere moved to the shrine cities in Southern Iraq in the

wake of the collapse of the Safavid Empire. With the demise of Isfahan, Najaf and Karbala became the preeminent centers of Shiʿi learning. During the eighteenth century, Iraq was a province of the Sunni-dominated Ottoman Empire, but had many of the characteristics of a frontier province, especially the inability, at times, to enforce central authority. Therefore, although Iraq was officially part of a Sunni state, Shiʿism was able to thrive in the two cities of Iraq that bear monuments for its two most important historical figures. Najaf is home to the Imam ʿAli Mosque, which contains the remains of the first Imam, ʿAli b. Abu Talib. The shrine of ʿAli's son Husayn, who is recognized by all Shiʿis as the third Imam and is the arch-martyr of Shiʿism, is in Karbala.

Realizing that the Akhbari-Usuli dispute would be decided in the ʿAtabat, Bihbihani took up residence in Karbala in the 1760s. Although he does not provide a reference, Davani says that it is well known in Bihbihan that the reason Bihbihani decided to move out of Bihbihan is that he had a confrontation with his father-in-law, the village chief of Bihbihan, who told him that it was he, not Bihbihani, who commanded the people gathered at prayer time.[38] This certainly would have been an affront to Bihbihani's authority and possibly could have been the result of jealousy, but it is difficult to imagine that it was the decisive factor for Bihbihani to move out of Bihbihan, where he had been able to sustain a thirty year career. There is also no evidence proving what had caused Bihbihani's father-in-law to turn against him.

Akhbaris clearly dominated the shrine cities when Bihbihani arrived in Iraq. Since the biographical information we have for Bihbihani was written by his students and other anti-Akhbari supporters, he is portrayed as the savior of Najaf and Karbala (and Shiʿism) because he was able to rid the cities (as well as Shiʿism) of Akhbaris. According to one of

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[38] Davani, *Aqa Muhammad*, 121.

Vahid Bihbihani's students, "The cities of Iraq, especially Karbala and Najaf, were full of Akhbari ‘ulama before Aqa [Bihbihani] came from Bihbihan."[39] He further explains that if an Akhbari wanted to touch Usuli books, he would use a handkerchief so his hand would not become impure (*najes*).[40] *Nujum al-sama'* quotes Shushtari, who says that prior to Bihbihani's time, usul al-fiqh was not widespread. He explains that most scholars were Akhbaris, and the few Usulis held a position between Akhbaris and Usulis, but now Usulism is popular because of the work of the great, erudite Bihbihani.[41]

The greatness attributed to Bihbihani in Shi‘i literature, therefore, is almost solely based on the fact that he ended Akhbari supremacy in the shrine cities. As will be suggested below, the same literature becomes apologetic when discussing the scholarly credentials of Bihbihani, which was clearly in question. Tunikabuni states that the very reason Bihbihani is considered as the reviver of the thirteenth century A. H. is that he defeated the Akhbaris, who were extremist, excessive, and widespread.[42] Similarly, Khwansari says that "the dust of the Akhbaris' opinions," which were eliminated by the blessing of Bihbihani's firm precepts, "were the same as the whims of the ignorant (*jahiliyya*) before them."[43] Three of the biographical dictionaries even elevate Bihbihani's status to an instrument of God by explaining that "God emptied the land of [Akhbaris] by the blessing of his arrival."[44]

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[39] Muhammad ibn Isma‘il Abu ‘Ali, *Muntaha al-maqal fi ahwal al-rijal* (Beirut: al-Mu'assasa, 1998). Quoted in Davani, *Aqa Muhammad*, 122.
[40] Ibid.
[41] Muhammad ‘Ali Kashmiri, *Nujum al-sama'* (Lucknow: Lithograph, 1885), 204.
[42] Muhammad b. Sulayman Tunikabuni, *Qisas al-‘Ulama* (Shiraz, 1964), 251.
[43] Khwansari, *Rawdat*, vol. 2, 93. Quoted in Robert Gleave, "The Akhbari-Usuli Dispute in Tabaqat Literature: An Analysis of the Biographies of Yusuf al-Bahrani and Muhammad Baqir al-Bihbihani." *Jusur* (1994): 97.
[44] Kashmiri, *Nujum*, 305. Abu ‘Ali, *Muntaha,* 29. Khwansari, *Rawdat*, vol. 2, 95. Quoted in Gleave, "The Akhbari-Usuli Dispute," 97.

'Ali Davani suggests that as soon as Bihbihani came to Iraq, people (Davani does not specify who) followed him and became aware of the wrongdoings of the Akhbaris. He also suggests that Iraqis were already looking for someone to fix the problems that the Akhbaris were causing.[45] This explanation oversimplifies Bihbihani's arrival in Karbala and is based on the savior mold in which Bihbihani's students have tried to cast him. Evidence actually suggests just the opposite.

It is well-recorded that Bihbihani considered leaving Karbala' shortly after he arrived because of his troubles with the Shi'i community. However, he decided to stay after having a dream of Imam Husayn, in which the Imam told him that he did not want Bihbihani to leave.[46] As a result of the dream, Bihbihani apparently realized that his destiny was to stay and fight Akhbaris on behalf of the Imam. Further, when Bihbihani first came to Karbala and began to preach he told people not to question why the Hidden Imam was not appearing. As a result they thought he did not want the Imam to come and therefore rejected his leadership. After some time, an unnamed man came to Bihbihani's door and said that he realized he had been praying on Bihbihani's rug in the mosque and therefore his prayers were invalid. Bihbihani then took the rug and closed the door. Later the person came back, asked for forgiveness, and kissed Bihbihani's feet.[47] It is unclear what made this person change his mind. However, this series of events seems to illustrate Bihbihani's overall experience in Karbala. He was initially rudely rejected, but eventually gained widespread support.

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[45] Davani, *Aqa Muhammad*, 122.
[46] Ibid., 138.
[47] 'Ali Akbar Nahavardi, *Khazinat al-jawahir fi zinat al-manabir* (Tehran: Kitabfurushi-ye Islamiyeh, 1962-3). Quoted in Davani, *Aqa Muhammad*, 138.

The fact that Bihbihani's son, Muhammad 'Ali Bihbihani, received a teaching license (*ijaza*) from Yusuf al-Bahrani also indicates that it was not possible for him to get an Usuli education. According to Ahmad Bihbihani, Muhammad 'Ali continuously contradicted Yusuf al-Bahrani and his Akhbari teachings, which forced him to leave Karbala. He went on pilgrimage to Mecca, where he studied the four Sunni maddhabs and then stayed in Kazimayn (near Baghdad) until Bahrani's death in 1772.[48] Muhammad 'Ali also studied with his father. Therefore, he either studied with Bahrani simply because he was the most popular teacher in Karbala at the time and as his student he was eligible for a stipend. He could have also joined Yusuf al-Bahrani's classes for the purpose of challenging him (as Ahmad Bihbihani suggests). However, if this was the case, Bahrani probably would not have given him an ijaza.

Presumably after deciding to stay in Karbala, Vahid Bihbihani began recruiting students. A number of them were pupils of Yusuf al-Bahrani, although these students probably did not immediately join Bihbihani's circle. More likely, Bihbihani's students were initially his younger relatives from the Tabataba'i side of his family, including Sayyid Muhammad Mihdi Tabataba'i (1742-1796), who was his grand-nephew on his first wife's side and Sayyid 'Ali Tabataba'i (1748-1801), his sister's son.[49] In fear of Akhbaris, Bihbihani and his students had to study in his basement[50] because anyone caught with Usuli texts in the street risked being beaten[51] by thugs hired by Akhbaris.

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[48] Bihbihani, *Mir'at al-ahwal*, 151.
[49] Bihbihani, *Mir'at al-ahwal*, 147.
[50] Tunikabuni, *Qisas*, 251.
[51] Khwansari, *Rawdat*, vol. 2, 95.

In the absence of central rule in southern Iraq, landowning Sayyids, urban gangs, and the leading clerics filled the power vacuum.[52] As Juan Cole and Moojan Momen explain, Shi‘i ‘ulama often allied themselves with urban gangs in Karbala in the absence of Ottoman political control.[53] Akhbari dominance, therefore, was insured by urban toughs, who were employed to intimidate their Usuli rivals. Although there is no explicit evidence linking Bihbihani to a specific gang leader, it is difficult to imagine that he established supremacy over the firm control of Akhbaris without working inside of Karbala's power structure. In order to establish his authority in Karbala, Bihbihani would have had to gain support from the power structure within Karbala. As he had allied himself with the political establishment in Bihbihan, he would have to do the same in the shrine city.

In addition to the marriage alliances Bihbihani had established in Bihbihan, he also had merchant contacts through his half-brothers in Isfahan and Shiraz.[54] Additionally, the Bihbihani family was connected to wealthy Bengali civil servants through marriage.[55] These civil servants were also descendants of the Majlisi family, but from a different branch than the Bihbihanis. Each of these contacts was vital for Bihbihani to enhance his power and authority. For any teacher, funds are necessary, not only for their own survival, but for the stipends of their students. Bihbihani would have also had to pay mafia bosses as well.

[52] Juan Cole, “Shi‘i Clerics,” 19.
[53] Juan R. I. Cole and Moojan Momen, “Mafia, Mob and Shi‘ism in Iraq: The Rebellion of Ottoman Karbala 1824-1843,” *Past and Present* No. 112. (Aug. 1986): 112-143.
[54] Juan Cole has already explained that after the fall of the Safavid dynasty many of the descendants of the Majlisi clerical dynasty adopted merchant professions and those that became clerics were closely allied with merchants. See Juan Cole, “Shi‘i clerics.”
[55] Cole, “Shi‘i Clerics,” 11.

Once Bihbihani gained ample socio-religious, political and economic support, he directly challenged Yusuf al-Bahrani for his students and his position as the most prominent Shi‘i leader in Karbala. Bihbihani is reported to have stood up at a meeting declaring, “I am the proof (*hujjat*) of God.” Apparently not rejecting his claim as a hujjat, those present asked what he wanted. At this point, he requested the pulpit (*manbar*) of Yusuf al-Bahrani as well as his students.[56] According to Shaykh Abdullah Mamaqani, Bahrani consented to the request because he himself was quarrelling with the Akhbaris. As a result, Bihbihani is said to have converted two-thirds of Bahrani’s students to Usulism, which brought Bahrani great joy.[57] Bihbihani certainly started to attract Bahrani’s students, including Bahr al-Ulum and Sayyid Muhammad Mahdi Shahristani, both of whom became leading mujtahids after Bihbihani’s death. However, Bahrani did not simply give up so easily and it is unlikely that he was happy to lose students. However, as will be discussed below, Bahrani does seem to have taken a conciliatory approach to Bihbihani.

Although Bihbihani also wanted to maintain friendly relations with Bahrani, his primary aim was to overcome Akhbari supremacy, which meant challenging Bahrani's authority. Therefore, Bihbihani said that if someone prays behind Bahrani their prayer will not be valid, but Bahrani apparently said that if one prays behind Bihbihani his prayer is valid.[58] Additionally, Bihbihani did not allow his students to attend Bahrani’s classes, which explains why his nephew is reported to have snuck out in the middle of the

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[56] ‘Abdullah Mamaqani, *Tanqih al-maqal fi ahwal al-rijal* (Qum: Mu’assasat Al al-Bayt li-Ihya al-Turath, 2002). quoted in Davani, *Aqa Muhammad*, 123.
[57] Ibid.
[58] Davani, *Aqa Muhammad*, 124.

night to see what Bahrani was teaching.[59] Tunikabuni even says that one of Bihbihani's students felt disgusted at the mention of *al-Hada'iq al-nadira* (Bahrani's most famous book) because Bihbihani did not allow his students to mix with Akhbaris.[60]

However, Bihbihani seems to have made an effort to make amends with Bahrani. Tunikabuni recounts a story in which Bihbihani went to Bahrani's house one night and told him:

> Tonight the Imam Husayn came to me in a dream and told me 'cut your nails.' Then I woke up. I interpret this as meaning that I should repel the enmity of the Akhbaris and discuss and argue with them. I have come now so that I might discuss the matter with you.[61]

This shows that Bihbihani saw it as his destiny to overcome Akhbaris. However, he realized that he had to defeat Bahrani through debate, instead of by force, which would have involved intimidation tactics by mafia-type thugs. In fact, Bihbihani and Bahrani did engage in a number of debates. One report depicts the two talking on the veranda of the mosque at the time of the early morning call to prayer, suggesting that they had been up all night.[62]

When Yusuf al-Bahrani died in 1772, it was Bihbihani who led the prayers at his funeral, illustrating that the two had come to an understanding prior to Bahrani's death. It also shows that Bihbihani's status had increased greatly since he had come to Karbala. In fact, he must have overcome other Akhbari leaders, who do not seem to have protested Bihbihani's position as the prayer leader.

Yusuf al-Bahrani's scholarly commitment to Akhbarism on one hand and his seemingly close relationship to Bihbihani on the other have led to conflicting reports on

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[59] Ibid.
[60] Tunikabuni, *Qisas*, 264.
[61] Tunikabuni, *Qisas*, 201. Quoted in Gleave, "The Akhbari-Usuli Dispute," 100.
[62] Muhaddath Qummi, *Fawa'id al-radhwiyya*, unpublished. Quoted in Davani, *Aqa Muhammad*, 124.

how Bahrani fits into the Akhbari-Usuli conflict. Much of the Shi'i biographical literature accommodates Bahrani as someone who was reformed: although he was once a strict Akhbari he returned to the middle way.[63] *Qisas al-'ulama* differs to some extent in that the author considers Bahrani an Akhbari (not a reformed Akhbari), but one who was accepted by Bihbihani.[64] Bahrani himself also seems to have been conflicted over the Akhbari-Usuli dispute. On one hand his theoretical work is distinctively Akhbari, from which it is clear that he maintained a commitment to the Akhbari doctrine throughout his life.[65] However, like other Akhbari colleagues writing at the beginning and middle of the eighteenth century, Bahrani attempted to resolve the differences between Akhbaris and Usulis. Both in his *al-Durar al-najafiyya* and in *al-Hada'iq al-nadira*, he clearly argues that the Usuli-Akhbari conflict should be put to rest because it had led to bitter rivalries and had brought harm to Shi'ism. He even attacks Astarabadi (the founder of the Akhbari school of thought) for having introducing the bitter tone into the debate.[66] He also attempts to minimize the differences between Akhbarism and Usulism that had been put forward by 'Abdullah Samahiji, an avowed Akhbari. Bahrani even concedes that Akhbaris use ijtihad as much as Usulis, which is often cited as the primary difference between the two schools.[67]

The contradictions in Bahrani's writings must be understood in the historical context in which he was writing. As mentioned above, the Shi'i establishment was under attack after the fall of the Safavids. Therefore, it is plausible that Bahrani was interested

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[63] This has already been argued in Gleave, "The Akhbari-Usuli Dispute."
[64] Gleave, 'The Akhbari-Usuli Dispute," 99-100.
[65] See Robert Gleave, *Inevitable Doubt: Two Theories of Shi'i Jurisprudence* (Leiden: Brill, 2000).
[66] Cited in Etan Kohlberg, "Aspects of Akhbari thought in Seventeenth and Eighteenth Centuries." in *Eighteenth Century Renewal and Reform in Islam.* Nehemia Levtzion and John Olbert Voll, eds. (New York: Syracuse University Press, 1987), 149.
[67] Ibid., 151.

in presenting a unified front in order to preserve basic Shi‘i beliefs. He also could have been exercising dissimulation (*taqiyya*). However, there is no evidence that he was particularly threatened by Usulis, whom he was trying to appease. After all, Akhbaris had the upper hand during Bahrani's lifetime.

In April of the same year that Bahrani died (1772) a plague spread throughout Iraq that lasted for about a year and a half. The plague hit Baghdad first, and spread through much of Iraq.[68] Further destruction was brought by raiders, especially in towns that suffered severe depopulation. Taking advantage of the weakness of Iraq, Karim Khan Zand attacked and occupied the Iraqi city of Basra just as the plague came to an end in the summer of 1773,[69] which exacerbated an already unsettled political situation in Iraq. This plague was part of a larger bubonic plague that began during the 1768-1774 Russo-Ottoman war. It initially broke out in Moldova in 1770 and spread throughout much of Russia and the Middle East. The plague that hit Moscow was among the worst in history, killing over 50,000 people.[70]

In order to preserve the lives of those around him, Vahid Bihbihani commanded his students to leave Iraq. He sent his son, Muhammad ‘Ali, to Kermanshah in Iran. According to Ahmad Bihbihani, it was difficult for Muhammad ‘Ali to leave the holy places, but he went anyhow.[71] Illustrating his duty to flee, Muhammad ‘Ali composed the poem "Go, go…if you don't go, how disobedient" (*Boro, Boro…Agar naravi ‘aqi ‘aq*).[72]

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[68] John R. Perry, *Karim Khan Zand: A History of Iran, 1747-1779* (Chicago: University of Chicago Press, 1979), 170.
[69] For a complete description of the siege, see Perry, *Karim Khan* .
[70] See John T. Alexander, *Bubonic Plague in Early Modern Russia: Public Health and Urban Disaster* (Oxford: Oxford University Press, 2003). Michael W. Dols, "The Second Plague Pandemic and Its Recurrences in the Middle East: 1347-1894," *Journal of the Economic and Social History of the Orient* Vol. 22 No. 2 (May, 1979), 162-189.
[71] Bihbihani, *Mir'at al-ahwal*, 152.
[72] Ibid.

Muhammad ‘Ali was welcomed in Kermanshah and taught there for the rest of his life. Another of Bihbihani’s students, Sayyid Muhammad Mihdi Tabataba’i, fled the shrine cities for Mashhad after stopping in Isfahan. Before returning in 1779, he had issued diplomas to his own students in Isfahan and Khurasan.[73] Thus, Bihbihani’s encouragement for his students to flee not only ensured that his most ardent supporters survived to lead the Usuli revival after him, but it ensured that his ideas would be firmly rooted in Iran and elsewhere.

The same commitment to fleeing the plague was not necessarily adopted by other clerical leaders. The Sunni cleric discussed above, Suwaydi, returned to Baghdad from Kuwait to find that each of his one thousand students had perished.[74] Although there are no specific data on how Akhbari clerics dealt with the plague, they surely suffered losses, especially because many of them were native Iraqis, who would have had a harder time fleeing than Iranians, who had trans-regional contacts.

The death of Yusuf al-Bahrani and the devastating plague certainly left a deep power vacuum in the clerical establishment of Karbala and Najaf. After Vahid Bihbihani led the prayers at Bahrani’s funeral, he seems to have been uninhibited by Akhbaris in consolidating his position as the undisputed leader of the Shi‘i community. He had already adopted many of the students of Bahrani prior to his colleague’s death. Now he commanded nearly all of Bahrani’s supporters.

At this point, Bihbihani started exercising what he saw as the right all of mujtahids. He issued judgments and carried them out. Particularly important to his consolidation of power, he declared infidelity (*takfir*) on all Akhbaris. Similar to the

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[73] Juan Cole, “Shi‘i Clerics,” 21-22.
[74] Juan Cole, “Shi‘i Clerics,” 22.

Akhbaris before him, he enforced his proclamation with the support of mafia-type ruffians. One of his students, Shaykh Ja'far al-Najafi, remembers that Bihbihani was always accompanied by a number of executioners (sing. *mirghadab*),[75] which indicates that Akhbaris who did not come over to Bihbihani's side or flee from Karbala in fear of him were in grave danger. This explains why there was almost nobody left in Karbala at the end of Bihbihani's life who claimed to be an Akhbari. Mirza Mihdi Shahristani, one of Bihbihani's students and one of his two successors in Karbala, retained an approach to Islamic law that is closer to Bahrani's Akhbari teachings than it is to Bihbihani's Usulism. Therefore, he must have found that professing to be an Usuli was more expedient. Likewise, Bihbihani may not have been interested in persecuting everyone with Akhbari leanings so long as they supported him and did not undermine his authority. This follows the manner in which he dealt with Yusuf al-Bahrani.

## Real and Imagined Importance of Vahid Bihbihani

Completely routing Akhbaris from Najaf and Karbala, Vahid Bihbihani narrowed the view of mainstream Shi'i Islam and set the stage for the widespread acceptance of an Usuli interpretation of Shi'i leadership. The Usuli revival was supported by the Qajar dynasty, which eventually ended the politically chaotic period that had begun in 1722. The many students that Bihbihani had trained were in position to become the most prominent clerics of the next generation. Therefore, Bihbihani's death in 1791, which coincided with the rise of the Qajars, ushered in a new era of Shi'ism. The Shi'i community was ideologically united (or at least fairly unified in leadership) and Bihbihani's disciples were widely recognized as the preeminent leaders of the Shi'i

[75] Cited in Hamid Algar, *Religion and State in Iran* (Berkeley; University of California Press, 1969), 35-36.

world. Although no formal hierarchy emerged in the Shiʿi establishment at this time, Bihbihani's students provided charismatic leadership that represented the interests of the majority of Shiʿis.

High-ranking clerics were now in a position to assume the duties that were previously imagined to be prerogatives strictly assigned to the Imams. In other words, mujtahids could now collect and distribute charitable donations, declare holy war (*jihad*), and make binding legal judgments by applying reason to Islamic law. During the interregnum between the Safavid and Qajar dynasties, clerics also became independent of the state, largely as a result of their ability to attract funds, as Bihbihani did, which mainly came from the merchant class. As a result, the clerical establishment eventually became the largest block of landowners and beneficiaries of fiscal incomes in Iran in the course of the nineteenth and twentieth centuries. In the two decades prior to 1979, the Iranian government attempted to limit this economic power, which emboldened the Shiʿi establishment to overthrow the Shah and establish clerical rule.

It is no wonder, then, that Vahid Bihbihani has been posthumously held in such high esteem. As mentioned above, his laudatory treatment in Shiʿi hagiographical literature is a result of the fact that Usulis were the only ones left to write the history of his time. *Qisas al-ʿUlama*, which relates a number of stories simply for the purpose of illustrating how great Bihbihani was, is a prime example of this. Tunikabuni tells the story of one of Bihbihani's students who went to class one day in a state of ritual impurity (*najes*). Without being told, Bihbihani realized the student's condition and decided to cancel class as a result. After sending his other pupils out, he gave the impure student money to go wash himself, which amazed the student because he realized that

Bihbihani is aware of all things.[76] This story is supposed to demonstrate that Bihbihani had innate knowledge and complete control over this students. Tunikabuni also explains how Bihbihani piously carried out his rituals performed when visiting the Imams' tombs in Karbala, which shows his closeness to the Imams.[77] An additional vignette, the typical shirt off my back story, is included in *Qisas al-'Ulama* to show Bihbihani's great generosity and care for the poor. One day, Bihbihani went to the mosque and a poor man came to him and said it is winter but I do not have anything to cover my head, so Bihbihani cut the sleeve of his robe and gave it to him to wear as a headdress. When Bihbihani returned home, his wife chastised him for cutting his robe, saying it had taken her a long time to make.[78]

The nineteenth century Shi'i biographical dictionaries also defend Bihbihani's scholarly credentials as if they were in question. Tunikabuni explains that he once went to the library of al-Shahid al-Thalith, Hajji Mulla Muhammad Taqi, who told him that when Bihbihani's *Kitab al-fawa'id* reached Isfahan, the 'ulama there said that it seemed as if the book was written by someone who had studied under a woman. Although this was clearly meant as an insult, Tunikabuni tries to patch it up by simply saying that when Bihbihani heard about this, he said, "They are telling the truth because I studied…under my father's sister."[79] Immediately following this story, Tunikabuni switches the subject and explains how knowledgeable Bihbihani's students were and that each of them were specialists in different subjects. Coming back to Bihbihani, he says that because his students were specialists, Bihbihani must have mastered each of the sciences. Further,

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[76] Tunikabuni, *Qisas*, 251.
[77] Ibid., 252.
[78] Ibid., 253.
[79] Ibid., 251.

Tunikabuni is amazed that Bihbihani's contemporaries said that he specialized in matters of worship (*'ibadat*). He then admits that Bihbihani did write a lot on the subject of 'ibadat, but explains that this is not proof that he did not know about other subjects.[80] Kashmiri takes Bihbihani's greatness a step further and attempts to establish him as the father of modern Shi'ism. In *Nujum al-sama'*, he claims that Bihbihani is the teacher of all things because all of the famous 'ulama after him, until today, can trace their chain (*silsila*) of learning back to him.[81]

Bihbihani himself attempted to establish that his knowledge was from a divine source, or at least in line with Imams. As noted above, Bihbihani often claimed that his inspiration came from dreams that featured Imam Husayn. This allowed Bihbihani to claim that he was divinely inspired without suggesting that he was the Hidden Imam or was in direct communication with him. In one such dream Bihbihani says that he saw his own relatives (who were in fact bothering him in real life at the time) torturing Imam Husayn. Bihbihani proceeded to stop his relatives, which caused Husayn to show Bihbihani kindness. Husayn then gave Bihbihani a scroll, which contained the principles of Islam. Bihbihani later claimed that his *Sharh al-mafatih* was written in the same fashion as the scroll.[82] In an additional story, he says that before coming to the 'Atabat he had a dream about it. When he later came on pilgrimage for the first time, he realized that the shrine cities were the same in reality as they had been in his dream.[83] In this way, Bihbihani was able to suggest that he had access to intuitive knowledge without breaking theological rules.

[80] Ibid., 252.
[81] Kashmiri, *Nujum,* 303.
[82] Davani, *Aqa Muhammad*, 137.
[83] Ibid.

Although Bihbihani's greatness is well-cited in the Shi'i tradition, the fact remains that his work has hardly been studied after his time and his texts have never become standard works in any of the Shi'i seminaries. What, then, accounts for the dissonance between the reported importance of Bihbihani and the lack of interest in his writings? There is no lack of material to study. Most accounts attribute at least sixty titles to him and 'Ali Davani has counted 72.[84] An unknown number of Bihbihani's books that were in the library of the Friday prayer leader (*imam jum'a*) of Kermanshah were burned when his library caught on fire (probably in the early nineteenth century).[85] However, many of Bihbihani's texts are extent, although mostly in manuscript form. Only eight of his texts are currently in publication. His most important works are on legal theory, including *al-Fawa'id al-ha'iriyya* and *al-Risala fī al-ijtihad wa al-akhbar*. Additionally, he never wrote a work on *furu' al-fiqh* (branches of jurisprudence), although he did write many commentaries on previous works and a large number of treatises on specific areas of law. As Robert Gleave points out, Bihbihani's most important work on Shi'i jurisprudence (*al-Fawa'id al-ha'iriyya*) is unorganized and seems more like random comments on unmentioned questions than a systematic work of fiqh.[86] Gleave also points out that this work is probably a refutation of the Akhbari position, represented by Yusuf al-Bahrani, whose work is much more systematic.[87] This may explain why Bahrani's work has been more widely studied than Bihbihani's, although it contains heretical ideas from the Usuli point of view.

[84] Ibid., 144.
[85] Ibid.
[86] Gleave, *Inevitable Doubt*, 14.
[87] Ibid.

Because of the polemical nature of Bihbihani's work, it seems that he was more interested in overcoming the Akhbari establishment than producing systematic pieces of Shi'i jurisprudence. Instead, he focused on creating a network of students, which was essential for the propagation of an alternative school of thought. In fact, much of his ideas were brought to fruition, both theoretically and in practice, by his students. They wrote more systematic works, which overshadowed his own. However, Bihbihani's thought is still important in order to understand the historical development of Shi'ism. That his thought evolved from previous Usuli works, reveals that his formulation of Usuli principles was not original. Further research tracing major Usuli themes through time, therefore, is necessary to understand how Usuli Shi'ism changed, if at all, during the interregnum between the Safavid and Qajar dynasties. These questions will be addressed in chapter three.

In the final analysis, Bihbihani is a key figure in Shi'i history. Simply because his scholarship has not played a significant role in shaping Shi'i thought does not mean that he was some sort of invented figure, created in the minds of Shi'i hagiographers. Bihbihani presided over a critical moment in which Shi'ism was at a crossroads. As a result, Shi'i hagiographers have casted him into the mold of a great scholar, which must include accolades for his writings. There is no doubt that Bihbihani was able to attract some of the brightest students of his time, whose intellectual output became fundamental to the course of Usulism. This seems to indicate that Bihbihani was a well-respected teacher during his lifetime, intellectually and financially supporting the interest of his pupils. For this reason, Shi'i hagiographers have emphasized his role as a great teacher.

## Why Usulism Prevailed

To conclude this chapter, the following question remains: why, against significant odds, did rationalist Usulism overcome traditionist Akhbarism at this particular point in history? What made Bihbihani and his followers reject the Akhbari school that they had previously adopted, when doing so was a potential risk to their lives? It does not seem that such a sea-change was simply the result of a series of historical accidents. As noted above, history is not completely logical. However, it is also not completely devoid of reason. Therefore, paradigms that describe historical change must not be taken as absolutes, but as loose guideposts. In other words, history is the product of both rational and non-rational factors.

Tradition, by definition, is confined to a finite period of time. The Shi‘i tradition was formed during the period of the Prophet Muhammad and the Imams. Once this finite period ended and questions arose that are not answerable within the traditional framework, a measure of interpretation, even if it is not admitted, is necessary to bridge the gap. However, if members who identify with the tradition feel that the fundamentals of that tradition are in jeopardy or have been forgotten, there may be a call to revert back to these fundamentals. In the Imami Shi‘i tradition, Astarabadi filled this role in the seventeenth century, which resulted in the revival of Hadith collections by Shi‘i scholars, such as Muhammad Baqir Majlisi. Again, when the traditional account (albeit reinterpreted for a new era) runs its course, the pendulum may swing back to favor change. Bihbihani and his disciples adopted a rationalist methodology in order to adapt to the changing conditions of the eighteenth century Shi‘i world. In other words, reason is a method of changing, adapting, or revising the tradition.

Beginning with the downfall of the Safavid dynasty in 1722, the existence of the established Shi‘i order was threatened. Clerics, like Vahid Bihbihani, were forced to survive independent of state sponsorship. Shi‘is also faced the threat of Nadir Shah, who attempted to use political pressure to amalgamate their beliefs with Sunnis. It was necessary, then, for the Shi‘i establishment to respond to these changes in a socially effective manner. This was done by expanding the influence of clerics, which Usulis supported. Bihbihani and his Usuli followers employed practical tactics to overcome the Akhbari establishment. Bihbihani established strong networks that provided him with socio-religious, economic, and political support. Timing, or nonrational factors of history, were certainly on his side as well. When Yusuf al-Bahrani (who was already conciliatory toward Usulis) died, Bihbihani had more than a decade to consolidate his control over Karbala. His hold was strengthened by his decision to command his followers to flee the plague that happened to hit Iraq the same year that Bahrani died. In the end, though, the success of Usulism was not inevitable. But, it was a likely outcome, given the historical circumstances.

# CHAPTER III

# VAHID BIHBIHANI'S DISCIPLES IN IRAQ AND IRAN

## Introduction

As the leading teacher in the foremost center of Shi'i learning (Karbala) during his lifetime, Vahid Bihbihani had numerous students, many of whom dominated the affairs of the Shi'i establishment following his death. As will be clear from what follows, students of Bihbihani became heads of each of the most prominent existing centers of Shi'i learning (Najaf, Karbala, and Isfahan) and even revived the importance of other centers, most importantly Qom. Additional students of Bihbihani did not necessarily inherit his leadership but were authors of significant Shi'i texts that promoted his school of thought. This chapter will focus on Bihbihani's disciples who were the most prominent Shi'i leaders in the generation following his passing. They ensured that the Usuli revival would continue to dominate Shi'i learning and authority and presided over the persecution of challengers, including Sufis, Akhbaris, and Shaykhis. Their consolidation of Shi'i leadership in the first half of the nineteenth century ensured that Usulis would be at the forefront of socio-religious developments in Iran and southern Iraq for centuries to come.

Bihbihani's death coincided with the rise of the Qajar dynasty (1794-1925), which ruled Iran during the long nineteenth century. The Qajars were among the Turkoman tribes that allied with Isma'il I as he spread Safavid rule across Iran. The founder of the

Qajar dynasty, Agha Muhammad Khan (r. 1794-1797), hastened the downfall of the Zand dynasty and was crowned shah in 1794. Agha Muhammad's successor, Fath 'Ali Shah (r. 1797-1834), was deferential to the 'ulama. He seems to have been a genuinely pious person. His patronage of Shi'ism was also a means of establishing his dynasty's legitimacy. In addition to making pilgrimages to Shi'i holy places, Fath 'Ali Shah repaired Shi'i shrines in Iran and Iraq. More important for the Usuli establishment, the Shah also financially supported individual Usuli scholars and built or rebuilt Shi'i seminaries, such as the Madrasa Faydiyya in Qom.

The combination of Bihbihani's Usuli triumph over Akhbaris and Fath 'Ali Shah's religious policies allowed an independent, ideologically unified Shi'i establishment to emerge at the beginning of the nineteenth century. The power of Shi'i 'ulama continued to grow throughout the course of the century as a result of the foundation laid by Vahid Bihbihani and his disciples. During this period, Najaf and Karbala remained the primary centers of Shi'i learning and teaching. However, largely as a result of Qajar support of Usuli scholars, many Persian 'ulama moved back to Iran, which began to reverse the migration of Persian scholarly families who had moved to southern Iraq from Isfahan in the wake of the fall of the Safavid Empire. This was only the beginning of a trend that returned the locus of Shi'ism back to Iran. Throughout the nineteenth century, Persian seminary students continued to study in the 'Atabat, but would often return to Iran after their studies. However, the most prominent Persian (and Arab) scholars remained in southern Iraq as heads of the seminary (*hawza*). This allowed them to remain independent of the Persian state, but still influence Persian society from afar.

## Leadership of Vahid Bihbihani's Students in Iraq

### Bahr al-'Ulum

The mujtahid recognized as Vahid Bihbihani's first successor was Muhammad Mihdi b. Murtada al-Tabataba'i (1155/1742-1212/1797), better known as Bahr al-'Ulum (lit. the ocean of sciences). He married Bihbihani's aunt and was a long-time student of Bihbihani, who had switched to the Usuli school after having studied with Yusuf al-Bahrani. Bihbihani repeatedly called him "my spiritual son" and considered him the most knowledgeable of his students, largely because he mastered multiple scholarly fields instead of just one like most students. Bahr al-'Ulum was born and raised in Karbala, which is also where he attended Bihbihani's classes. However, because Bahr al-'Ulum later changed his residence to Najaf, the primary center of Shi'i learning shifted with him and remained in Najaf until the twentieth century, when its preeminence was eclipsed by Qom.

Bahr al-'Ulum carried a reputation as a mystic. He is said to have reached the highest stage of Sufism, or annihilation in God (*fana'*). Many of his followers believed that he actually saw the Hidden Imam. Because many miracles were attributed to him, some thought he actually was the Hidden Imam. One of his students went so far to say that if he had claimed infallibility (*'isma*) nobody would have disputed it.[1] Given that Shi'is only attribute infallibility to the Prophet Muhammad and the Imams, Bahr al-'Ulum would have had to proclaimed himself the return of the Hidden Imam in order to claim infallibility, which would certainly not have gone unquestioned.

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[1] Kashmiri, *Nujum*, 316-17.

Bahr al-‘Ulum's authority was far-reaching. He was recognized in Iraq as the most senior Shi‘i cleric. The ‘ulama of Karbala even appealed to him to declare infidelity (*takfir*) on Sufis to which he agreed. Because of his own proclivity toward Sufism, he arranged for the Sufis to leave the shrine cities unharmed. Bahr al-‘Ulum's relationship to Sufism is telling of an age in which most Usulis were not willing to accommodate Sufism. On one hand Bahr al-‘Ulum gained untold respect as a mystic, but on the other he and his followers saw the Sufi establishment as a rival force to Usuli Shi‘i authority. Therefore, although Bahr al-‘Ulum was a Sufi in the basic sense of the term, he allowed the persecution of popular Sufism in order to bolster the authority of Shi‘i mujtahids.

In *Qisas al-‘ulama*, Tunikabuni devotes much of his entry on Bahr al-‘Ulum to the latter's stay in Mecca. Tunikabuni includes a long story, which is clearly supposed to illustrate how Shi‘is should interact with non-Shi‘is, especially Sunnis. He first explains that Bahr al-‘Ulum reached a high level of learning from Sunni scholars in Mecca and would exercise dissimulation (*taqiyya*) for the public, although he occasionally slipped and praised the Imam ‘Ali in public, accidentally revealing that he was a Shi‘i. On one occasion he greeted someone saying "peace be upon ‘Ali" (*salam ‘aliyya*) instead of "peace be upon you" (*salam ‘alaykum*). At another time he started to address people at a meeting with "Oh ‘Ali" (*ya ‘Ali*). Worried that his Shi‘i identity would be revealed, he corrected himself, claiming that he meant to say "Oh great ones" (*ya ‘aali*).[2]

More importantly, Tunikabuni tells a story about Bahr al-‘Ulum in which he converts the Friday prayer leader (*imam juma‘*) of Mecca to Shi‘ism. He explains that one day Bahr al-‘Ulum followed the prayer leader to his house. The prayer leader then invited him to his library and said that he had every book his heart might desire. Bahr al-

[2] Tunikabuni, *Qisas*, 213.

‘Ulum then asked him for a book on Abu Hanifa, which the prayer leader admitted not to have. Bahr al-‘Ulum explained to him that the book talks about Imam Ja‘far al-Sadiq, whom Bahr al-‘Ulum said was his own teacher. A year later, after becoming interested about Ja‘far al-Sadiq because of Bahr al-‘Ulum, the prayer leader told Bahr al-‘Ulum that he had become a Shi‘i but was exercising taqiyya. An old man by this time, the prayer leader asked Bahr al-‘Ulum to be the witness of his conversion. Apparently, when the prayer leader died, Bahr al-‘Ulum washed his body and led the prayers at his funeral. Significantly, Tunikabuni says that the story is from an unknown source and he also does not mention the name of the converted prayer leader, which brings the veracity of the account into question.

Although not all high-ranking ‘ulama were subordinated to Bahr al-‘Ulum, most clerics, both in Iran and Iraq, espoused a reverent respect to his superiority. Even Mirza Muhammad al-Akhbari (who was the chief Akhbari opponent of Usulis in the early nineteenth century) studied under Bahr al-‘Ulum simply because he saw the rarity of such an opportunity.[3] Similarly, Kashif al-Ghita’, who was already a senior mujtahid, attended Bahr al-‘Ulum’s classes in order to receive the blessings for doing so. In this way, Bahr al-‘Ulum inherited Vahid Bihbihani’s disciples as his own.

With such support, Bahr al-‘Ulum created a loose hierarchy of leadership under his command by assigning the ‘ulama around him with specific roles. Shaykh Ja‘far Kashif al-Ghita’ was responsible for fatwas, taqlid and organization. Bahr al-‘Ulum appointed Husayn Najafi as the prayer imam and his representative, and Sharif Muhyi al-Din was his chief judge and litigator. Bahr al-‘Ulum himself took on the role as the

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[3] Muhsin al-Amin ‘Amili. *al-Shi‘a fi masarihim al-tarikhi: muqaddimat A‘yan al-Shi‘a.* vol 58 (Beirut: Markaz al-Ghadir li al-darasat al-Islamiyya, 2000), 165. Quoted in Litvak, *Shi‘i Scholars*, 47.

supreme leader of the community. It seemed as though a nascent bureaucracy was developing in Shi‘i leadership. However, this specific structure did not last beyond Bahr al-‘Ulum and he did not attempt to formally institutionalize it. However, it represents a major sea-change in Shi‘i leadership given that an informal hierarchical structure in the Shi‘i establishment has continued to develop since Bahr al-‘Ulum's time.

## Kashif al-Ghita'

Shaykh Ja‘far b. Khidr al-Najafi (1156/1743-1227/1812), known as Kashif al-Ghita', was one of the most illustrious students of Vahid Bihbihani, from whom he received an ijaza. After the passing of Bihbihani he became a disciple of Bahr al-‘Ulum and his favorite student. Therefore, when Bahr al-‘Ulum died in 1797, Kashif al-Ghita' was accepted as the head of the Shi‘i establishment in Najaf, and therewith the majority of the Shi‘i world. Kashif al-Ghita' was certainly aware of his own prominence as he was heard mumbling the following to himself by one of his students, "First you were Ja‘far, then Shaykh Ja‘far, after that the shaykh of Iraq, then the shaykh of Muslim shaykhs."[4] As the leading Shi‘i scholar in Najaf, Kashif al-Ghita' also inherited the most prominent students of Bihbihani and Bahr al-‘Ulum, in addition to upcoming scholars as his own disciples.[5]

His title "Kashif al-Ghita'" is derived from his most prominent work (*Kashf al-Ghita'*), which is one of the most renowned Shi‘i texts of the entire Qajar period and is a prime example of anti-Akhbari literature of its time. The only other book he wrote was

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[4] Quoted in Davani, *Aqa Mu□ammad*, 195.
[5] His list of students is impressive and includes some of Vahid Bihbihani's younger students as well as some of the most prominent scholars that carried on Bihbihani's school of thought for a third generation. Among Kashif al-Ghita's students were Muhammad Baqir Shafti (Hujjat al-Islam), Hajji Muhammad Ibrahim Kalbasi, Shaykh Muhammad Hasan Najafi, Sayyid Sadr al-Din Musavi ‘Amili, and Shaykh Muhammad Taqi Isfahani.

*Kitab al-qawa'id*. *Kashf al-Ghita'* is one of the most important fiqh books up to its time and students in Najaf used the methodology presented in it as their primary example during the first half of the nineteenth century. In this text, Kashif al-Ghita' attempted to further develop Shi'i leadership by expanding the idea of general deputyship (*niyaba 'amma*). He claimed that it was the collective duty of the 'ulama to rule on behalf of the Imam in his absence. Further, Kashif al-Ghita' suggested that a single mujtahid should have greater authority among the 'ulama. In this regard he asserts that "it is incumbent to give preference to the most just (*afdal*), or to him who is given permission by [the Imam]."[6] Since the Imam is hidden, it is impossible (unless by supernatural means) to determine whom the Imam prefers. In practice, knowledge (*'ilm*) has remained the primary theoretical determinant for Shi'is to discern who should be the deputy of the Imam. However, supremacy of knowledge is not always clear since there is no method in place, such as an exam, for mujtahids to distinguish themselves intellectually. In practice, mujtahids set themselves apart in this regard based on their literary output. This can be illustrated by the fact that Kashif al-Ghita' accredited himself as the "paramount Shaykh of all the Muslims"[7] only after he wrote *Kashf al-Ghita'* and received considerable acclaim for it. His claim was vindicated as he was recognized as the foremost mujtahid in the Shi'i world by Fath 'Ali Shah's minister and because he was the first to be called "deputy of the Imam" (*na'ib al-imam*) by his followers. However, the primary reason that he was accepted by his colleagues as the foremost Shi'i leader in Najaf was that he was the most favored student/colleague of his predecessor (Bahr al-Ulum) and he had been a pupil of Vahid Bihbihani.

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[6] Quoted in Litvak, *Shi'i Scholars*, 49.
[7] Ibid.

At the beginning of Fath ‘Ali Shah’s reign, Kashif al-Ghita’ announced that he was permitting the Shah to reign and appointed the monarch as his own deputy. He also required the Shah to ensure that a prayer leader was appointed to each brigade of the army and that troops listened to a preacher once a week.[8] Realizing the need for legitimacy and vindicating Kashif al-Ghita’s position, Fath ‘Ali Shah proclaimed that he considered his own kingship to be “exercised on behalf of (*ba niyabat-i*) the mujtahids of the age.”[9] Prior to the first Russo-Persian war (1804-1813), Fath ‘Ali Shah appealed to all of the preeminent mujtahids (most of whom were the disciples of Vahid Bihbihani) to get a declaration of jihad against Russia. Along with Sayyid ‘Ali Tabataba’i, Kashif al-Ghita’ was the first to be approached. Kashif al-Ghita’s declaration of jihad was accompanied by an explanation, saying that Fath ‘Ali Shah was authorized to wage war on behalf of the Imam of the age and that his own power to authorize the king to carry out the jihad was based on the mujtahids’ collective office of the general deputyship (*niyaba ‘amma*). Further, Kashif al-Ghita claimed that his own power rested in his position as the deputy of that office (*al-na’ib al-‘amm*). Although this type of devotion and deference to mujtahids by a Persian monarch did not last much beyond the reign of Fath ‘Ali Shah, it clearly illustrates the autonomy and influence that the clerical establishment had achieved in the wake of Vahid Bihbihani.

With such support and authority, Kashif al-Ghita’ was free to continue carving out a greater sphere of influence for himself and thus for mujtahids to come. Although he was not fluent in Persian, he regularly traveled to Iran to collect khums and absolution payment, which ensured financial autonomy for himself and his students. He was so

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[8] Tunikabuni, *Qisas*, 141.
[9] Rida Quli Khan Hidayat, *Rawdat as-Safi-yi Nasiri,* unpublished. Quoted in Algar, *Religion and State*, 56.

emboldened to consider those who withheld payment as rebels who had turned against the Imam and his vicegerent. He saw himself playing the role of the Imam's vicegerent and therefore obedience to him was tantamount to obeying the Hidden Imam. He also personally carried out jihad against Wahhabis, who repeatedly attacked Najaf and Karbala in attempts to extend their influence into southern Iraq in the early nineteenth century. According to Ahmad Bihbihani (student of Kashif al-Ghita' and grandson of Vahid Bihbihani), Kashif al-Ghita stockpiled weapons at his house and he even wore armor and went into battle against Wahhabis.[10]

As discussed above, Usulis had already defeated the Akhbaris in Iraq during Vahid Bihbihani's time. However, Mirza Muhammad Akhbari (mentioned above as a temporary student of Bahr al-'Ulum) attempted to revive Akhbarism in Iran after fleeing from Najaf when Kashif al-Ghita' declared him an infidel (*kafir*). In Iran, Akhbari sought the protection of Fath 'Ali Shah. At the same time Kashif al-Ghita' warned the Shah of his dangerous doctrines and supplied the monarch with one of his anti-Akhbari tracts to prove it. However, during the first Russo-Persian war, Mirza Muhammad Akhbari promised the Shah to use his supernatural powers to obtain the head of Tsitsianov, a Russian general who had been quite destructive during his campaigns in northern Iran. In return Fath 'Ali Shah was to make the Akhbari school the official doctrine of the state. When Tsitsionov's head was in fact presented to Fath 'Ali Shah, interest in his movement was heightened. However, instead of honoring Akhbari and surely in fear of Usulis, Fath 'Ali Shah was taken aback and exiled him to Iraq. Avoiding the Shi'i strongholds, Akhbari then moved to Baghdad, where he ran for governor, but was murdered in

[10] Bihbihani, *Mir'at al-ahwal*. Cited in Davani, *Aqa Mu□ammad*, 195.

Kazimayn after one of the gubernatorial candidates incited a mob to attack his house.[11] Mirza Muhammad Akhbari's death represents the final downfall of the Akhbari school. To this day there are only a handful of Akhbari scholars in the world, mainly in Bahrain.

Although Kashif al-Ghita' ensured the continued dominance of the Usuli school, his death in 1812 marked the end of religious consensus in Najaf and beyond. He did groom his son Musa to succeed him, but his son-in-law (Asadallah b. Isma'il Tustari) challenged Musa after Kashif al-Ghita's death. Eventually Mirza Abu al-Qasim Qummi (discussed below) was invited to Najaf to settle the dispute. After questioning them, he claimed that Musa was, in fact, more knowledgeable. However, neither of them could achieve the widespread authority of Vahid Bihbihani's students. Similar to the Bahr al-'Ulum clan, though, the Kashif al-Ghita' family has been a continuous force in the Shi'i establishment and has produced scholars of the first rank in nearly every generation since Kashif al-Ghita's death.

## Mirza Muhammad Mihdi Shahristani

After Vahid Bihbihani's death, leadership in Karbala passed to Mirza Muhammad Mihdi Shahristani (d. 1215/1800-1) and Sayyid 'Ali Tabataba'i (d. 1231/1815-6). Shahristani was a descendent of an 'ulama family that was prominent during the Safavid dynasty. His family moved to Karbala from Isfahan after the Afghan invasion that toppled the Safavid dynasty. According to *Riyadh al-jannat*, Shahristani was the oldest student of both Yusuf al-Bahrani and Vahid Bihbihani and was one of the first students to join Vahid Bihbihani's classes.[12] Shahristani's son, Sayyid Muhammad Husayn Musawi

[11] Cited in Algar, *Religion and State*, 65-66.
[12] Zunuzi, *Riadh*. Cited in Davani, *Aqa Muhammad*, 187.

Shahristani, also married Vahid Bihbihani's granddaughter (the daughter of Muhammad 'Ali Bihbihani).

Although Mirza Muhammad Mihdi Shahristani also obtained an ijaza from Bihbihani, his approach to fiqh remained close to his former teacher, Yusuf al-Bahrani. His book, *Sharh al- lam'ah wa qawa'id al-'ulama*, is primarily concerned with hadith. That Shahristani was from a leading Isfahani clerical family and he continued with his Akhbari leanings, as a student of Vahid Bihbihani no less, supports the idea (addressed in Chapter II) that Persian emigrants from clerical families in the Iraqi shrine cities were not simply reverting to the Usulism of their forefathers.

Shahristani's status as the leading cleric in Karbala was enhanced when he became a recipient of the so-called Indian money (*pul-e Hindi*) from rulers in the Shi'i kingdom of Awadh in India. Between 1786 and 1844 one million rupees flowed to the shrine cities from Awadh.[13] As a result, clerics in Karbala received more money from India than Iran during this period. Shahristani was the recipient of half of the total amount given during the first half of the nineteenth century (500,000 rupees). He received it from Assaf al-Dawla (the Nawwab of Awadh) and used it for the construction of the Hindiyya canal that brought water to Najaf and Karbala from the Middle Euphrates.[14] Shahristani attracted the funds partially because he was already known in India. He had spent a few years in Delhi and Allahabad in the 1780s, after which he remained in contact with the Shi'i community in India through pilgrims and students. Although Shahristani set the precedent of using the funds for public works, his successors used the Indian money for more personal purposes, such as attracting students and thwarting enemies. Shahristani

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[13] Meir Litvak, "The Finances of the 'Ulama Communities of Najaf and Karbala, 1796-1904," *Die Welt des Islams*, New Series Vol. 40 Issue 1 (Mar., 2000): 47.
[14] Ibid.

certainly did support his students financially, but he did not use the Indian money for this purpose.

Bahr al-‘Ulum gave Shahristani the honor of leading the prayers at his funeral. Mulla Zayn al-‘Abidin Salmasi, who was a student of Bahr al-‘Ulum, explains that he was personally shocked that Bahr al-‘Ulum chose Shahristani because the former was in Najaf, while the latter was in Karbala. Zayn al-‘Abidin further explains that when Bahr al-‘Ulum passed away, his followers in Najaf (including Shaykh Ja‘far Kabir and Shaykh Hasan Najafi) began preparations for burial without informing Shahristani. After washing the body and putting it into a shroud, they were about to say the burial prayer when Shahristani appeared in the distance. He was walking from the east, clearly exhausted. Shahristani proceeded to lead the funeral prayers and Zayn al-‘Abidin realized the greatness, not only of his teacher, but also of Shahristani.[15] The implication is that Shahristani knew Bahr al-‘Ulum had died even though he had not been informed, which proves his great spiritual adeptness.

## Sayyid ‘Ali Tabataba’i (Sahib al-Riyadh)

Sayyid ‘Ali Tabataba’i (1161/1748-1231/1815, also known as Sahib al-Riyadh (after the title of his book *Riyadh al-masa’il*) was the nephew and son-in-law of Vahid Bihbihani. As a teenager Tabataba’i was among the initial students of Bihbihani in Karbala that met in secret in fear of Akhbaris. Tabataba’i is the only student of Bihbihani that Abu ‘Ali discusses in *Muntaha al-maqal* aside from Bahr al-‘Ulum. Although ‘Ali Davani suggests that this shows the importance of Sayyid ‘Ali Tabataba’i,[16] it is more plausible that Shaykh Abu ‘Ali extensively praises him (and not other students of

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[15] Zayn al-‘Abidin Salmasi, *Mustadrek*, unpublished. Quoted in Davani, *Aqa Muhammad,* 189.
[16] Davani, *Aqa Muhammad*, 190.

Bihbihani) because Tabataba'i was his teacher. This explains why Abu 'Ali says that Tabataba'i was the greatest of Bihbihani's students.[17]

Upon Mirza Muhammad Mihdi Shahristani's death in 1800-1, Sayyid 'Ali Tabataba'i inherited Shi'i leadership in Karbala and also succeeded Shahristani as the recipient of Indian money. Tabataba'i possessed all the elements to become the most prominent Shi'i leader of his time; he was a descendent of the Prophet Muhammad, he was a disciple of Bihbihani, and his scholarship was of first rank. His most important book is *Riyadh al-masa'il*, which applies Usuli concepts to *fiqh*. After the death of Bahr al-'Ulum, tensions arose between Sayyid 'Ali Tabataba'i and Kashif al-Ghita', which represent the rivalry between Najaf and Karbala and between mujtahids who claimed descent from the Prophet Muhammad (sayyids) and those who did not.

Sayyid 'Ali Tabataba'i was the leading cleric in Karbala when Wahhabis attacked the city on Ayd al-Qadr in 1802. As a result of the attack, an unknown number of inhabitants of the city died, including some Usuli scholars. According to *Rawdat al-jannat*, the Wahhabis attempted to kill Sayyid 'Ali Tabataba'i. Prior to their arrival at his house, Tabataba'i was apparently expecting them and sent his wife and children to a secure place. Tabataba'i remained in the house with an infant and hid upstairs behind a pile of wood, praying. The Wahhabi assailants entered the house, yelling for him. They came upstairs and began removing pieces of the wood that he was hiding behind but they left before finding him. Tabataba'i lived to tell the story and explain how God miraculously blinded the attackers so they would not see him and kept the child from crying.[18] As all major clerics of this time are claimed to be endowed with supernatural

[17] Abu 'Ali, *Muntaha*. Quoted in Davani, *Aqa Muhammad*, 191.
[18] Khwansari, *Rawdat*. Cited in Davani, *Aqa Muhammad*, 191.

abilities, this story also provides material for Tabataba'i's status as a legendary figure. Shortly after the raid, Tabataba'i received funds from Awadh to build a wall around Karbala for the purpose of protecting the city from Wahhabi raids.

After the deaths of Mirza Mahdi Shahristani (1800-1) and Kashif al-Ghita' (1812), Sayyid ‘Ali Tabataba'i's preeminence was recognized in both of the shrine cities. Tabataba'i was the last of the older generation of Vahid Bihbihani's students and was certainly in the position to gain unmatched authority. In order to consolidate his position as the preeminent leader in the Shi‘i world, he even sought to undermine his rivals. For example, he refused to accept the scholarship of ‘Abd al-Samad Hamadani (who had also studied with Vahid Bihbihani) because of his inclination toward Sufism. Sayyid ‘Ali Tabataba'i also forced Asadallah Tustari (Kashif al-Ghita's son-in-law) out of Karbala after simply claiming that he was unjust. In the end though, Tabataba'i's authority was not recognized throughout the entire Shi‘i world. He did have a following in India and Iraq, but not necessarily in Iran, where many local mujtahids did not accept his authority.[19] His preeminence in Iraq also did not last long, since he died in 1815-6, which signaled the end of the leadership of Bihbihani's disciples in the shrine cities.

Nevertheless, each of the aforementioned leaders (Bahr al-‘Ulum, Kashif al-Ghita', Mirza Mihdi Shahristani, and Sayyid ‘Ali Tabataba'i) became heads of long-lasting ‘ulama dynasties, which have produced numerous prominent mujtahids over the last two hundred years. Although similar dynasties have controlled posts as Shaykhs al-Islam and Imam Jum‘as in Iran, no other dynasties have had similar status in the shrine cities, including the descendents of Vahid Bihbihani.

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[19] Litvak, *Shi‘i Scholars*, 50.

## Leadership of Bihbihani's Students in Iran

The establishment of the Qajar dynasty and its patronage of Twelver Shi'ism, especially during the reign of Fath 'Ali Shah, prompted many of the 'ulama living in the shrine cities of Iraq to return to their hometowns in Iran. Far from becoming tools of the state, they kept a haughty disdain for the political establishment and cautiously ensured that they were not perceived as subordinate to anyone, even to the Shah himself. Therefore, although Fath 'Ali Shah often sought the approval of mujtahids and begged them to bestow him with their blessings, such as being his guests, they would often refuse his requests. The most prominent of Vahid Bihbihani's successors in Iran were Mirza Abu al-Qasim Qummi (d. 1816) in Qum; Ahmad b. Muhammad Mahdi Naraqi (d. 1829) in Kashan; Muhammad Ibrahim Kalbasi (d. 1845-6) and Muhammad Baqir Shafti (known as Hujjat al-Islam, d. 1844) in Isfahan.

### Mirza Abu al-Qasim Qummi (Sahib al-Qawanin)

Mirza Abu al-Qasim Qummi (1152/1739-1231/1816) was a prolific scholar and became the leading disciple of Vahid Bihbihani in Iran. He initially studied with his father (Mulla Muhammad Hasan Gilani) and after studying in Khwansar with Sayyid Husayn Khwansari, he went to the 'Atabat and joined the circle of Vahid Bihbihani. Khwansari had taught Qummi fiqh and usul, so he was presumably an Usuli prior to his arrival in the Iraqi shrine cities. While in the 'Atabat, he obtained ijazas from Muhammad Baqir Hizarjaribi and Shaykh Muhammad Mihdi Futuni in addition to Bihbihani. From the 'Atabat, Qummi moved back to Iran and settled in a village called Japulaq, where he remained poor and was harassed by local mullas. According to Tunikabuni, Qummi moved to Qom (which was a small town at the time) because the people in Japulaq were

ignorant.[20] Qummi created a number of marriage alliances with the most important families in Qom. One of his daughters married Mirza Abu Talib Qummi, who was one of Qummi's students and whose family was one of the most important and oldest of Qom. Qummi's other daughters married into the Burujirdi, Naraqi, and Bahraini families, each of which were important clerical families.

Mirza Abu al-Qasim Qummi was one of the main beneficiaries of Fath ʻAli Shah's desire for the ʻulama to legitimize the Qajar state. As a result of Qummi's cooperation, the Shah spent large amounts of money on Shiʻi holy sites in Qom. With the patronage received by Mirza Abu al-Qasim Qummi from Fath ʻAli Shah, he was able to attract many students (including Muhammad Baqir Shafti and Muhammad Ibrahim Kalbasi) to Qom and establish it as a viable center of Shiʻi learning. Therefore, when Fath ʻAli Shah completed the masjid al-jumʻa in Tehran, it was Qummi who he asked to recommend an Imam Jumʻa. He suggested his student, Muhammad Baqir Shafti, who was not known at the time. But the latter declined as he did not want to be seen as a pawn of the government and refused to leave Isfahan. Different from most ʻulama of his age, Mirza Abu al-Qasim Qummi was conciliatory towards the government and even produced a Shiʻi political theory that justified Qajar rule, which was later developed more fully by Sayyid Jaʻfar Kashfi.[21]

Qummi wrote on a wide range subjects (including texts on waqf, taqlid, and an anti-Sufi tract). His most important work is *Qawanin al-usul*, which is one of the most important works on usul al-fiqh in the entire Qajar period. It was one of the fundamental textbooks for students of usul al-fiqh after his time and portions of it are still studied in

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[20] Tunikabuni, *Qisas*. Quoted in Davani, *Aqa Muhammad*, 202.
[21] Momen, *Shiʻi Islam*, 194.

the Shi‘i seminary. Similar to Kashif al-Ghita’, Qummi developed the concept of following the opinion of a superior mujtahid in doctrine and practice (*mutaba‘a*), which contributed to the evolution of a Shi‘i hierarchy in leadership.

### Mulla Ahmad Naraqi

Mulla Ahmad Naraqi (d. c. 1245/1829) was the son of Mulla Mihdi Naraqi, who was among the initial students of Vahid Bihbihani. Ahmad Naraqi studied with Bihbihani as well and under his guidance became an expert in fiqh and usul. He was also something of a polymath as he wrote poetry and had a keen interest in philosophy, math, and comparative religions. In fact, his *Sayf al-‘amma* (Sword of the Cause) is an apologetic work in response to a Christian missionary in Iran and makes use of Jewish and Christian sources. After his father passed away in 1209/1794 Mulla Ahmad Naraqi returned to his hometown in Iran and took his father’s position as the most influential cleric in Kashan. Similar to Mirza Abu al-Qasim Qummi in Qom, Mulla Ahmad Naraqi’s prominence made Kashan a center of Shi‘i learning. Kashan never achieved the status of either Qom or Isfahan as a long-standing religious center in Iran, but it is significant that Kashan became a center of learning during this time simply because of the presence of Naraqi.

Mulla Ahmad Naraqi was also similar to Qummi in the fact that he had a close relationship with Fath ‘Ali Shah, who showed deferential respect to both of them. When Naraqi arrived in Kashan, he found a governor that was unsuitable to him and he expelled him from the town. Thereafter, Fath ‘Ali Shah called Naraqi to Tehran to reproach him but the mujtahid retorted, “O God! This unjust king appointed an unjust governor over the people. I put an end to his oppression; and now this oppressor is angry with me.”[22]

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[22] Quoted in Algar, *Religion and State*, 62.

Fath ‘Ali Shah then backed down and appointed a new governor! Naraqi later returned the favor by translating a work on ethics for Fath ‘Ali Shah from Arabic into Persian entitled *Mi‘araj al-su‘at*. The fact that Fath ‘Ali Shah lent patronage to this and other works shows his genuine interest in Shi‘ism.

Although Qom and Kashan were growing in importance as Shi‘i centers at the beginning of the nineteenth century, Isfahan remained the most important Shi‘i center of learning in Iran in the early stages of the century. It had been the capital of the Safavid Empire and developed as the preeminent Shi‘i stronghold in the world over the course of the sixteenth and seventeenth centuries. Although the Shi‘i establishment in Isfahan fell into disrepair during the interregnum between the Safavids and Qajars, it was revived in the nineteenth century by students of Vahid Bihbihani, especially Muhammad Ibrahim Kalbasi and Muhammad Baqir Shafti (Hujjat al-Islam).

## Muhammad Ibrahim Kalbasi

Muhammad Ibrahim Kalbasi (1180/1766-1261/1845) was born in Isfahan and later went to the ‘Atabat to study, where he joined the circle of Vahid Bihbihani and later Bahr al-‘Ulum. He says that he did not ask them for an ijaza, but they would have given it to him had he had asked.[23] Kalbasi was among the scholars that went to Qum and Kashan to study with Mirza Abu al-Qasim Qummi and Mulla Ahmad Naraqi. Kalbasi’s most famous text is *Isharat al-Usul*, which took him thirty years to write according to *Qisas al-‘ulama*.[24] However, *Isharat* is not used by seminary students. According to Tunikabuni, this is because it is written in such eloquent language that it is hard to understand by

[23] Muhammad Ibrahim Kalbasi, *Isharat al-usul* (Tehran, 1830) 2. Cited in Davani, *Aqa Muhammad*, 225.
[24] Tunikabuni, *Qisas*, cited in Davani, *Aqa Muhammad*, 227.

people with average intellect.[25] Kalbasi also wrote a work on furu‘ al-fiqh entitled *Manhaj al-hidayat*.

Like other disciples of Vahid Bihbihani, who moved back to Iran after studying in the ‘Atabat, Kalbasi had considerable influence over Fath ‘Ali Shah. In order to cultivate a relationship with Kalbasi, the Shah visited him in Isfahan and even dismissed a governor that Kalbasi did not get along with.

### Aqa Sayyid Muhammad Baqir Shafti Isfahani

Muhammad Ibrahim Kalbasi and Muhammad Baqir Shafti (d. 1260/1844) studied together in the ‘Atabat and remained good friends throughout their lives. Kalbasi’s son even married Shafti’s daughter. After finishing his studies, Shafti went to Isfahan and stayed with Kalbasi. Although they shared the leadership of Isfahan, Muhammad Baqir Shafti had much more influence there than did Kalbasi. Shafti was the first among many wealthy mujtahids in Iran and had a wide following, not only in Iran, but in Iraq and India as well. During his lifetime Najaf was still the primary center of Shi‘i learning, but he ensured that Isfahan was the main center in Iran. Although Muhammad Baqir Shafti did not succeed in returning Isfahan to its previous status as the primary center of Shi‘ism, he did challenge the dominance of the Iraqi shrine cities. Belittling Najaf and Karbala, he claimed that he learned more during his six month period of study in Qum under Abu al-Qasim Qummi than his entire stay in the shrine cities. This type of wrangling is also illustrative of Iraqi-Persian tension among high ranking ‘ulama that has continued to the present day.

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[25] Ibid.

Muhammad Baqir Shafti was the Shaykh al-Islam of Isfahan and he used his position to amass more judicial, economic and political power than the local government. He was one of the first mujtahids in Iran to use his religious influence to become extremely rich. Governors in Isfahan were not even able to attract such wealth. In fact, they were often indebted to him. When Fath ‘Ali Shah offered to relieve Muhammad Baqir Shafti of the taxes he paid on one of his villages, he refused the offer. Asserting his piety, he claimed that he did not want others to be forced to make up the amount. More probable, he did not want to appear to be in collusion with the government. Regardless of his reasoning, it would not have made much a difference in his vast wealth.[26] Similar to Vahid Bihbihani, Muhammad Baqir Shafti adopted the practice of carrying out his own judgments. Up to a hundred people suffered death as a result of his strict interpretation of Shi‘i law.[27] In all, he proved that although reverence was primarily shown to mujtahids in the shrine cities, those in Iran were in a better position to influence Iran socially, politically, and economically.

Muhammad Baqir Shafti also played a leading role in the anarchy in Isfahan that ensued following the death of Fath ‘Ali Shah. He and ‘Abdallah Khan Amin ad-Dawla (the last minster of Fath ‘Ali Shah) supported Husayn ‘Ali Mirza Farmanfarma (d. 1834) when he proclaimed himself the Shah of Shiraz. Muhammad Baqir Shafti’s support was based on the fact that he rejected the authority of Muhammad Shah (Fath ‘Ali Shah’s successor) because of his tendency toward Sufism. Additionally, Shafti was motivated by the idea of gaining political and religious power for himself and for Isfahan. After Fath ‘Ali Shah’s death, Isfahan was overrun by gangs (sing. *luti*), who were known for mob

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[26] Tunikabuni, *Qisas*, 20.
[27] Algar, *Religion and State*, 61.

violence both in Iraq and Iran and were often allied with the ‘ulama. Muhammad Baqir Shafti supported the lutis as they murdered, robbed and raped without consequence. With his support, their booty was even stored in the congregational mosque of Isfahan.[28]

Especially because descendents of the Safavids were also involved in the mayhem, Muhammad Shah was especially alarmed. He feared that a tripartite alliance between lutis, high-ranking clerics, and descendents of the previous ruling dynasty could prove fatal to his Qajar government. Therefore, in 1836 he dispatched soldiers to apprehend many of the lutis, whose hands were severed as their punishment, but Muhammad Baqir Shafti’s opposition continued. In 1837, he and Mir Muhammad Mihdi (the Imam Jum‘a of Isfahan) led a revolt against the governor of Isfahan, Khusraw Khan, who tried to curb their influence in his city. Instead of succumbing to the governor, Shafti was emboldened to extend his activities with the lutis until an army was dispatched from Tehran and over 150 lutis were executed and even more exiled. At this point Shafti was Muhammad Shah’s arch-enemy. According to *Qisas al-ulama*, Shafti retained an arrogant disdain for Muhammad Shah and when the monarch came to Isfahan to meet him; he was preceded by an Arab reading the Qur’an. The Shah’s soldiers and companions rushed to meet Muhammad Baqir Shafti and some even kissed the hooves of his mule.[29] Such was the loyalty shown toward the ‘ulama in Iran at the time, even to a person that condoned unwarranted plunder. Muhammad Baqir Shafti died in 1844 and is still known as one of the first mujtahids to claim the title proof of Islam (*hujjat al-Islam*).

Additional students of Vahid Bihbihani are as follows:

1. Aqa Sayyid Jawad ‘Amili

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[28] Ibid., 110.
[29] Tunikabuni, *Qisas*, 106.

2. Hajj Mulla Muhammad Astarabadi
3. Sayyid Ahmad ‘Atar Baghdadi
4. Muhammad Ali b. Muhammad Baqir Bihbihani
5. Shams al-Din b. Jamal al-Din Bihbihani
6. Shaykh Abu ‘Ali Ha’iri (author of *Muntaha al-maqal*)
7. Mulla Muhammad Hezarjarabi
8. Sayyid Dildar ‘Ali Nasir Abadi Hindi
9. Mir Hasan Isfahani
10. Shaykh Muhammad Taqi Isfahani
11. Sayyid Mohsen A‘raji Kazimayni
12. Shaykh Asadollah Kazimi
13. Mulla ‘Abd al-Jalil Kermanshahi
14. Mirza Mihdi Khorasani
15. Shaykh Muhammad Khorasani
16. Sayyid Muhammad Qasir Khorasani
17. Sayyid Ahmad Tabataba’i Najafi
18. Mirza Muhammad Taqi Qadi
19. Hajj Mirza Muhammad Hasan Qazvini
20. Sayyid Muhammad Shafi‘ Shushtari
21. Hajj Mirza Yusuf Tabrizi
22. Sayyid Muhammad Hasan Zunuzi

The following is a list of the major texts written by Bihbihani’s students and followers that promoted his legal doctrine:

1. Jawad ‘Amili, *Miftah al-karama*
2. Bahr al-‘Ulum, *al-Masabih*
3. Muhammad Taqi b. Muhammad Rahim al-Isfahani, *Hiddayat al-mustarshidin*
4. Muhammad Ibrahim Kalbasi, *Isharat al-Usul*
5. Kashif al-Ghita’ *Kashf al-ghita’*, *Anwar al-faqaha*
6. Asad Allah b. Isma‘il al-Tustari al-Kazimi, *Maqabis al-anwar*
7. Muhammad Hasan b. Muhammad Baqir al-Najafī, *Jawahir al-kalam*
8. Ahmad b. Muhammad Mahdi al-Naraqi, *Mustanad al-Shi‘a* and *Manahij al-ahkam*
9. Mirza Abu’l-Qasim Qummi, *Qawanin al-usul*, *Jami‘ ash-shalat*, *Ghana’im al-ayyam*, and *Manahij al-ahkam*
10. Muhammad Baqir Shafti (Hujjat al-Islam), *Matali‘ al-anwar* and *Anwar al-faqaha*
11. Muhammad b. ‘Ali Tabataba’i (Mujahid), *al-Manahil* and *Mafatih al-usul*
12. ‘Ali b. Muhammad al-Tabataba’i al-Karbala’i, *Riyadh al-masa’il*

## Conclusion

Vahid Bihbihani ushered in a new era of Shi‘ism and his disciples presided over it. They presented themselves as the Hidden Imam’s ultra-spiritual vicegerents. Many followers even supposed that Bahr al-‘Ulum was the Hidden Imam and he would not have convinced them otherwise. The Shi‘i biographical dictionaries often attribute esoteric knowledge (*kashf*) to Bihbihani’s disciples, whether it is Shahristani’s knowledge that Bahr al-‘Ulum died without being told or Tabataba’i’s ability to escape Wahhabi murderers as a result of God blinding them for him.

Not only did Bihbihani's successors ensure that Usuli Shi'ism would survive under the new Qajar dynasty, they justified Qajar rule, which was essential for the survival of the dynasty. Mirza Abu'l Qasim Qummi supplied the Qajars with such a justification, while Kashif al-Ghita' proclaimed that the Qajars were ruling on his behalf. In return, Fath 'Ali Shah was often deferential to the 'ulama and expended court funds on building projects that increased the prestige of leading clerics. Fath 'Ali Shah even allowed the dismissal of governors when Kalbasi and Naraqi were not pleased with them. When Fath 'Ali Shah's successor did not appear to be as accommodating, he suffered the price as Shafti threw his weight behind an anti-Qajar revolutionary movement.

As clerics such as Bihbihani had learned how to survive during the Safavid-Qajar interregnum, his successors continued practices that kept them independent of state control. The Qajars certainly contributed to the pool of funds at the disposal of clerics, especially in Iran. Likewise, clerics in Najaf and Karbala benefited from "Indian money." Individual contributions far exceeded state-sponsored funds, largely as a result of emboldened clerical policies, such as Kashif al-Ghita's that forcefully demanded followers to give the khums and absolution payments for wrongdoings. Muhammad Baqir Shafti rejected the pious idea of abstaining from worldly riches and amassed incredible personal wealth as the Shaykh al-Islam of Isfahan.

Although Bihbihani's disciples did not succeed in creating a systematic hierarchy in the Shi'i order, they did contribute to such a trend, even as the breadth of Shi'i leadership spread back to Iran. Bahr al-'Ulum's delegation of clerical duties was a step in this direction. Additionally, supreme leadership of the Shi'i world was narrowed significantly. In the generation after Bihbihani's death, Shi'i leadership was in the hands

of a handful of his disciples. And for the first time, Sayyid ʻAli Tabataba'i was recognized as the head of both Karbala and Najaf.

Such a trend of narrowing the scope and terms of leadership continued after the death of Bihbihani's disciples, largely because they trained the next generation of scholars. Soon after the passing of Bihbihani's disciples, Shiʻi leadership reached its highest potential in Mortaza Ansari (1799-1864), who was recognized as the head of the entire Shiʻi world.[30] Ansari collected funds from as far away as India and was looked upon to lead the international Shiʻi community, thus assuming a position comparable to a Catholic Pope. Still, Shiʻi leadership was not formally institutionalized, although Ansari's students inherited a unified community. Although Mortaza Ansari refused to entangle himself in politics, successive generations of Shiʻi leaders became increasingly politically active. They often checked the autocratic power of the Iranian government and eventually led the Constitutional Revolution (1905-1911). The practice of emulation (*taqlid*) established by Bihbihani has continued to the present under well-known ayatollahs in Iraq and Iran. Given that Vahid Bihbihani initiated this process, it is no wonder that he is often referred to by Shiʻis as the renewer (*mujaddid*) and reviver (*murawwij*) of the twelfth Islamic century.

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[30] For more on Ansari see Zackery M. Heern, *Shiʻi Law and Leadership: The Influence of Mortaza Ansari* (Saarbrucken: Lambert Academic Publishing, 2010).

# CHAPTER IV

# THREE SOURCES OF SHI‘I KNOWLEDGE AND AUTHORITY

## Introduction

In order to gain a broader understanding of how the Usuli school, promoted by Bihbihani and his disciples, fits into the history of Shi‘i thought, the following will present a periodization of Shi‘ism based on its intellectual trends. Throughout Islamic history, scholars (*‘ulama*) have been trying to answer the following question: in the absence of the Prophet and the Imams, how is sure knowledge (*‘ilm*) derived? This question has been at the root of many intellectual Islamic debates. Assuming that the duty of producing an answer to this question is the responsibility of scholars themselves, the limits of their authority also came into question. Taking a broad historical approach, I argue in what follows that Shi‘i scholars have derived knowledge and authority from three sources: the foundational texts (*naql*, i.e. the Qur'an and hadith), rational interpretation (*‘aql*), and intuitive revelation (*kashf*). While these three sources have caused divisions among Shi‘is and some scholars have categorically rejected one or more of them, many thinkers have accepted some synthesis of naql, ‘aql, and kashf. Even when scholars have rejected one of these sources, they are often found to use it in practice. The following will illustrate that appeals to these three sources of knowledge and authority are made in each major period of Shi‘i thought. Furthermore, periodic shifts are often the

result of appealing to the authority of one of the three sources at the expense of the other two.

The fourteenth century Baghdadi scholar, Sayyid Haydar Amuli, is possibly the first scholar that explicitly included a synthesis of ‘aql, naql, and kashf in his theoretical approach to knowledge. Therefore, we will take his explanation of these three sources as a point of departure. He argues that ‘aql (the way of the philosophers), naql (the tradition of the theologians), and kashf (the intuition of the mystical theosophists) are the three parts of metaphysics.[1] More importantly, in his *Risala fi ma‘rifat al-wujud*, Amuli claims that ‘aql, naql, and kashf are three methods of attaining knowledge, but only kashf leads to divine reality.[2] In other words, Amuli accepted all three sources, but favored divine inspiration.

At different times in Shi‘i history, scholars who have represented the mainstream school of their day granted supremacy to textualism, rationalism, and intuition as the preeminent sources of sure knowledge. The dominant group of textualists has become known as Akhbaris and the term Usuli has become synonymous with those who accept reason. Those who have promoted intuition have not been categorized into such neat titles, but are generally known as theosophers or illuminationists (*hikmat al-ilahis* or *Ishraqis*). However, these titles (Usuli, Akhbari, and Ishraqi) can be misleading since scholars within each school of thought vary in their approach to the three sources considered here.

[1] Henri Corbin, *En Islam Iranien*, 4 vols (Paris: Gallimard, 1971-2). For English translation see Seyyed Hossien Nasr, Hamid Dabashi, and Seyyed Vali Reza Nasr, eds., *Shi‘ism: Doctrines, Thought, and Spirituality* (Albany State University of New York Press, 1988), 191.
[2] Sayyed Haydar Amuli, *La Philosophie Shi‘ite*, edited by Henry Corbin and Osman Yahia. Bibliothèque Iranienne, Number 16 (Tehran and Paris: Institut Franco-Iranien de Recherche 1969), 623.

Even a cursory overview of the history of Shi‘i thought shows that texts, reason, and intuition have formed a tripartite system of deriving knowledge and justifying clerical authority. The basis for authority in Shi‘ism is the Imamate, an institution whose authority rests on the Imams’ ability to infallibly interpret the Qur’an rationally intuitively. During the occultation of the twelfth Imam, authority has been delegated to Shi‘i scholars, who justify their authority on the basis of their knowledge of the texts, superior rational ability, and intuitive experience. Of course, not all scholars claim authority on the basis of all three characteristics. In fact, it is rare for a scholar to make use of each source in this tripartite system. Most scholars place emphasis on one of the three parts, often the one they feel lacks emphasis by their peers and predecessors. However, if we take Shi‘ism as a whole, it is clear that these three trends form the Shi‘i approach to knowledge and authority. Although it is outside the scope of this study, these three sources also form the three overarching sources of knowledge and authority for Islam as a whole.

## Periodization of Shi‘i Thought

As noted in Chapter I, emphasis in the periodization of Shi‘i thought is often placed on the tension between textualism and rationalism. This is largely due to the primacy of a legalistic approach to Shi‘i thought. However, this approach leads to the misconception that the history of Shi‘i scholarship is the result of two competing camps: rationalists and traditionists (i.e., Usulis and Akhbaris). Therefore, theosophical trends are often glossed over or even ignored altogether. However, such ideas represented by the School of Isfahan, Shaykhis, and others became widely accepted in their day and have had a lasting influence on Shi‘i thought. Furthermore, they represent esoteric trends that

have been part of Shi‘ism from its inception. Leaving out developments based on an intuitive approach from the historical development of Shi‘i intellectual history leads to an incomplete narrative. Such a narrow approach presents Shi‘ism squarely legalistic terms. The following will show that use of intuitive means to produce knowledge and bolster charismatic authority is consistent throughout Shi‘i history.

Building on the periodization of Shi‘i jurisprudence developed by scholars, such as Ahmad Kazemi Moussavi[3] and Hussein Modarressi,[4] which focus primarily on textual and rational approaches to knowledge and authority, the following will include developments by theosophists and factor intuition (*kashf*) and inner knowledge (*batin*) into Shi‘i thought.

Henry Corbin and Seyyed Hussein Nasr are among the few scholars writing in Western languages that have focused on illuminationist trends in Shi’‘ism. Whereas Modarressi views Shi‘ism through the lens of jurisprudence, Corbin concludes that “Shiism is, in essence, the esotericism of Islam.”[5] In fact, Corbin divides the tradition into “four great periods,” two of which he defines solely in terms of developments by theosophical thinkers.[6]

Emphasizing both the development of Shi‘i jurisprudence and theosophism, the following will divide Shi‘i thought into seven distinct periods, some of which overlap chronologically. The sources of naql, ‘aql, and kashf are consistent in each era, although the role of each source changes from time to time. General patterns are clearly

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[3] Ahmad Kazemi Moussavi, *Religious Authority in Shi‘ite Islam: from the Office of Mufti to the Institution of Marja* (Kuala Lumpur International Institute of Islamic Thought and Civilization (ISTAC), 1996) 18-19.
[4] Hussein Modarressi Tabatabai, *An Introduction to Shi‘i Law: A Biographical Study* (London: Ithaca Press, 1984). Modarressi, “Rationalism and Traditionalism,” 141-158.
[5] Henri Corbin, *History of Islamic Philosophy*, Trans., Liadain Sherrard (London: Kegan Paul Intl., 1993), 36.
[6] Ibid., 32-35.

discernable among adherents of what have become known as Akhbarism, Usulism, and Ishraqism, regardless of the period in which they lived. There are also significant disagreements among scholars within each trend, which blur the lines between these three schools of thought.

## Collection of Hadith and Kashf from the Imams: c. 700-1000

The formative period of Shiʿi thought was primarily informed by the succession of Imams. According to Shiʿi teachings, the world cannot exist without a proof (*hujja*), which indicates certain knowledge (*ʿilm*), including both exoteric (*zahir*) and esoteric knowledge (*batin*). Following the death of the Prophet Muhammad (the ultimate earthly purveyor of ʿilm), the Imams successively inherited and passed on perfect knowledge to the community through their infallible (*maʿsum*) guidance. In fact, possession of infallible knowledge was one of the defining characteristics of the Imams. According to Imam Muhammad al-Baqir (d. 735), the family of the Prophet (*ahl al-bayt*) was the only source of knowledge. More specifically, only the designated living Imam possessed perfect knowledge. The Imam's brothers, for example, did not possess it.

According to tradition, Shiʿi jurisprudence was first developed by Imams Muhammad al-Baqir (d. 732) and Jaʿfar al-Sadiq (d. 765). Thus, Imami law is often referred to as the Jaʿfari school. Prior to this time, the only clear division between Shiʿism and the rest of the Muslim community was along political lines. Jaʿfar al-Sadiq saw part of the role of the Imams as administering justice and thus encouraged his followers to act in accordance with the Qur'an and Sunna. Rejecting the practice of commoners (i.e. proto-Sunnis) and the precedent of the Companions of the Prophet

(especially ‘Umar b. al-Khattab), he broke with mainstream Muslims. He even advocated that “the right path is found in those traditions which contradict the commoners.”[7] Therefore, Shi‘i ‘ulama accepted the consensus (*ijma‘*) of the companions of the Imams. According to traditional accounts, Shi‘is rejected analogical reasoning (*qiyas*), explaining that qiyas only leads to probability (*zann*, i.e. not certain ‘ilm). Similarly, they did not accept the use of personal judgment (*ra’y*). Qiyas and ra’y, which were accepted by proto-Sunnis, were also rejected by Shi‘i scholars as part of the polemical debate between the majority of Muslims and followers of the Imams. Shi‘i scholars of this time often used ra’y and ijtihad interchangeably. Therefore, the rejection of ra’y was a prohibition of ijtihad, the acceptance of which Bihbihani eventually made the centerpiece of his disputation with Akhbaris.

During this formative period of Shi‘i thought, the majority of ‘ulama were primarily concerned with which traditions of the Imam should be accepted in Shi‘i law. Many of the scholarly companions of the Imams also debated theological questions, such as whether the Imams possessed infallibility (*‘isma*) or if they were simply pious scholars with a comprehensive knowledge of the Qur’an and Prophetic traditions. At times, disagreements became so heated that they would result in one scholarly circle declaring infidelity (*takfir*) on another[8] – a practice that Bihbihani revived in his declaration of takfir against Akhbaris. A rift also occurred between hadith collectors and theologians. Some traditionists even fabricated traditions to defeat their rivals.[9] Needless to say, texts and reason played a fundamental role in the formulation of Shi‘i theology.

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[7] Muhammad b. Ya‘qub al-Kulayni, *al-Usul min al-kafi*, 2 vols., ed., ‘Ali Akbar Ghaffari, Dar al-Kutub al-Islamiyya, Tehran 1984, 67-68. Quoted in Kazemi, *Religious Authority*, 12.
[8] For references on takfir during this period, see Modarressi, *An Introduction*, 26.
[9] Ibid.

In addition to his development of the initial stage of Shi‘i law, Ja‘far al-Sadiq is also said to have possessed the white *jafr* (containing divinely revealed books, such as the Torah, Gospel, and Psalms) and other scrolls, which were handed down through the Imams and empowered him with prophetic vision.[10] Shi‘is embraced the mystical tradition that was developed in this period and acknowledged that the Imams had supreme esoteric knowledge just as they had perfect exoteric knowledge. Imam ‘Ali declared that the Imams "see what others cannot see and they hear what others do not hear. They have access to divine secrets."[11] In fact, this is the primary characteristic that differentiated Imams from others. Therefore, the primary source of knowledge and authority during this period was kashf – obtained by the Imams from God.

The Islamic tradition suggests that already in the Umayyad period (661-750), Shi‘i scholars (as well as Sunnis) began challenging the religious authority of the Caliph and claimed to be the heirs of Muhammad. Therefore, Shi‘i clerics before and after the occultation claimed to be successors of the Prophet instead of the Imams. Vahid Bihbihani, for example, argues that jurists "are successors of the Chosen Messenger [Muhammad], guardians of the Chaste Ones' orphans, cut off from them by occultation and concealment, treasures of the precious faith after the Prophet and the Imams, and custodians of the way of the saved sect among the Muslim community."[12] Similarly, Al-

[10] Muhammad b. al-Hasan al-Saffar, *Basa'ir al-darajat fi fada'il al-Muhammad* (Qum: Maktaba Ayat Allah al-Mar‘ashi, 1983), 161-2. Andrew Newman, *The Formative Period of Twelver Shi'ism: Hadith as Discourse between Qumm and Baghdad* (Richmond: Curzon, 2000), 73-75. Liyakat N. Takim *The Heirs of the Prophet: Charisma and Religious Authority in Shi'ite Islam* (Albany: SUNY Press, 2006), 28.
[11] Quoted in Takin, *Heirs*, 57.
[12] Vahid Bihbihani, *Risala al-Akhbar wa al-Ijtihad* (Tab‘-i Mahalli, 1895), 9.

Muhaqqiq al-Hilli (d. 1277) and Husayn b. al-Hasan al-Karaki (d. 1592-3) refer to jurists as heirs of the prophets.[13]

By the ‘Abbasid period (750-1258), scholars emerged as an influential group. During the pre-occultation period, the primary role of Shi‘i scholars was the transmission of legal traditions. The Imams also conferred some of their charismatic authority on them. In fact, miracles are often attributed to the transmitters as well as the Imams. As disciples of the Imams, they were often taught esoteric secrets. Ja‘far al-Sadiq said that his disciples “are the repositories of my secrets and through them all innovations are nullified.”[14] At this stage, the authority of the ‘ulama primarily rested on their knowledge of the texts, not the performance of miracles. However, esoteric knowledge did continue to be an important source of knowledge for scholars.

There is no shortage of accounts in biographical literature depicting hadith transmitters as recipients of the miraculous powers of the Imams. For example, Imam al-Baqir extracted gold from the ground with his foot after Jabir b. Yazid al-Ju‘fi (d. 745) complained of being poor. The Imam is also reported to have shown him the kingdom of heavens and the earth in a similar manner that God had shown Abraham. Apparently, Jabir al-Ju‘fi was so special that he was allowed to visit kingdoms that Abraham was not shown.[15] Taking an additional step down the path of esoteric knowledge, disciples claimed to perform their own miracles. With ‘ilm from the Imams, Maytham al-Tammar (n.d.) and Muhammad b. Sinan (d. 835) were able to predict the future. Salman al-Farisi (d. 644-647) had even greater spiritual powers. After Imam ‘Ali taught him the greatest

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[13] See Devin J. Stewart, *Islamic Legal Orthodoxy: Twelver Shiite Reponses to the Sunni Legal System* (Salt Lake City: University of Utah Press, 1998), 216. and Takin, *Heirs*, 35.
[14] Muhammad b. ‘Umar Kashshi, *Ikhtiyār m‘arifa al-rijal* (Mashhad,:Danishgah-e Mashhad, nd.), 137.
[15] Nadia Abu Zahra, *The Pure and Powerful: Studies in Contemporary Muslim* (New York: Ithaca Press, 2001), xiv.

name of God (*al-'ism al-'azam*), he could not only foretell the future, but could communicate with angels, a feat reserved only for Prophets and Imams.[16] This means that al-Farisi was gifted with the power of revelation (*wahy*), not just inspiration (*kashf*).

When the Twelfth Imam disappeared in 874, Shi'i scholars argued that it was impossible for him to be dead because the world would be deprived of a proof (*hujja*). Therefore, they argued that he was still alive, but in hiding. He would continue to provide guidance to four successive deputies, who were granted the spiritual power to access the Imam's perfect knowledge through visions and dreams. Therefore, the deputies became intermediaries between the Hidden Imam and the Shi'i community by receiving intuitive knowledge (*kashf*). In fact, these deputies were not known for their learning but for their spiritual connection to the Imam. Like many hadith transmitters, the deputies were famous for possessing supernatural powers, such as divination, innate understanding of different languages, and clairvoyance.[17] The miracles that they performed provided proof of their claims of communication with the Imam. In other words, they established their authority on the basis of intuitive knowledge. The most important source of knowledge for the deputies was also intuitive (*kashfi*). This period stands out, then, as one of complete reliance on kashf. Since the four deputies provided a link to the Hidden Imam, this phase of Shi'i history is generally referred to as the Minor Occultation (874-941). Once the last deputy died in 941without appointing a successor, the Major Occultation began.

At this point, leadership and guidance of the Shi'i community was placed squarely on the 'ulama. In addition to the countless scholars that lived in every

[16] Takin, *Heirs*, 92.
[17] Ibid., 94.

generation, Ja'far al-Sadiq says "the religion will be carried in every century by an upright person through whom the invalid interpretations will be negated and the waywardness of the extremists and false claims of the ignorant will be refuted."[18] Although lacking infallibility (*'isma*), scholars were left to fill the void of the Imams. They had already served the Shi'i community as doctors of law and transmitters of traditions. But gradually Shi'i clerics argued that it was their prerogative to inherit all areas of leadership that were once the sole responsibility of the Imams. Therefore, Usulis eventually argued that scholars should carry out punishments, perform congregational prayer, collect and distribute zakat and khums, etc., thereby filling the void left by the occultation of the twelfth Imam.

Although scholars in the post occultation period are often referred to as successors of the Imams and (as noted above) as heirs of the Prophet, it is also accurate to say that they were the successors to the hadith transmitters. They transmitted the knowledge of the Imams to lay Shi'is and they had some of the diffused charisma of the Imams by way of kashf. Significantly, the Imams taught some of the transmitters more esoteric secrets than others. Some scholars claim to have reached a higher level of esotericism than others. Albeit to a lesser extent, some scholars claimed to perform miracles and communicate with the Hidden Imam. Tunikabuni's *Qisas al-'ulama*,[19] for example, contains numerous accounts of such supernatural feats. Of course, the historical validity of these miraculous feats is questionable and *Qisas al-'ulama* is hagiographical in nature. The importance of the miracles that Tunikabuni and others attribute to Shi'i scholars lies

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[18] Kashshī, *Ikhtiyar*, 170. This concept of a generational or centennial renewer has already been discussed in chapter one in association with Vahid Bihbihani.
[19] Tunikabuni, *Qi□a□*. For an analysis of this and other such works see Gleave, "The Akhbari-Usuli Dispute."

in the development of Shi‘i thought and leadership. Because early scholars were said to have performed these feats, it became necessary for later scholars, especially those advocating change, to possess the ability to perform them as well. If a cleric did not have access to such specialized knowledge, how would lay Shi‘is and other scholars know that he was a mujtahid of the age and the renewer of Islam? On what other basis could it be proven that he was authorized to initiate changes in the Shi‘i establishment? Claiming access to kashf, then, is more important as a means of authority than as a source of knowledge.

## Establishment of a Rationalist School: c. 1000-1200

Shi‘i law entered a new phase when Shaykh al-Mufid (d. 1022) adopted rational Mu‘tazili argumentation in his *al-Muqni‘a*.[20] His text was the first to clearly move beyond the transmission of textual sources. Shaykh al-Mufid maintained the superiority of the foundational texts by arguing that reason needed the help of the texts, not the opposite. In practice, however, he does seem to use textual sources to back up his reasoning instead of using reason to expound on revelation. Prior to Mufid, the task of scholars was to collect traditions, not give their opinions on them. Al-Mufid harshly attacked scripturalists and accused them of being too liberal in their collection of traditions, without investigating or even thinking about what they were reporting.[21] He rejected their use of traditions transmitted by only one source (*akhbar al-ahad*) and instead relied on the Qur’an, widespread (*mutawatir*) traditions, and consensus (*ijma‘*) of Shi‘is as the first threes sources of law. Additionally, he saw ‘aql (which included

[20] Significantly, it was around this same time that the Sunni leader, Caliph al-Qadir (991-1031), repudiated the Mu‘tazila.
[21] See McDermott, *Theology.*

language (*lisan*) and textual criticism) as sources of Shi‘i law that would help jurists make sense of the textual sources. These sources eventually became staples for Usulis, including Bihbihani (see Chapter V). Mufid put these ideas forward in his *al-Tadhkira bi usul al-fiqh*, making it the first known work on Shi‘i principles of jurisprudence (*usul al-fiqh*). To this day, Usuli scholars accept the four sources of usul al-fiqh advocated in this text. Mufid’s rationalist approach was taken from that of the Mu‘tazilis and those that followed his approach were often distinguished by the titles Mu‘tazila and Mutakallimun. In practice, this rationalist approach allowed for greater pliability of the law for the newly established Shi‘i Buyid dynasty (945-1055) in Baghdad. In fact, this general rationalist approach would henceforth be preferred by dynasties sponsoring Shi‘ism as the state religion (especially Safavids and Qajars as mentioned above), at least in their initial stage of development.

Mufid’s student, al-Sharif al-Murtada (d. 1044), further developed the rationalist approach to jurisprudence and even argued for a more prominent role for reason. He claimed that perfect knowledge could be established by reason alone, but not by taqlid as traditionists had argued. Murtada (and Mufid) suggested that only traditions that are widely transmitted (*mutawatir*) are sure to produce perfect knowledge, whereas isolated reports (*al-akhbar al-ahad*) could not because they were probably the result of fabrication.

The third important rationalist of this period was Shaykh al-Ta’ifa al-Tusi (d. 1067), who applied the rational arguments of Mufid and Murtada to the traditions. However, he retained the authority of isolated hadith reports and developed a method to reconcile contradictory traditions. With an approach that combined rationalist and

traditionist methods, he transformed Shi‘i law to the point that his work was considered as authoritative for a full century after him, a period that is often described as a period of taqlid because of the overwhelming acceptance of his work and the lack of intellectual output. Shaykh al-Ta’ifa also compiled his own hadith collections (*Tahdhib al-ahkam* and *al-Istibsar*) and relied more on texts and less on reason than Murtada had. His development of usul al-fiqh was marked by acceptance of the practice of the righteous sect (*‘amal al-ta’ifa*). He concluded that most traditions are isolated reports (*al-akhbar al-ahad*), but they are valid because previous generations of Shi‘is accepted them. Rejecting any recourse to doubt (*shakk*), Shaykh al-Ta’ifa employed caution (*ihtiyat*) (a principle adopted by Akhbaris) in order to proceed when certainty cannot be determined.

During this period Sufism also became important as a popular form of religious expression, but remained closely connected to Sunni Islam. As such, it was rejected by Shi‘is of this age, who were suppressed by the Seljuqs. However, it meant that Shi‘is had to compete with Sufis for the esoteric expression of Islam.

Therefore, claims to kashf and emphasis on inner knowledge (*batin*) were quite prominent during this era. Mufid, for example, supported the designation of gates (sing. *bab*, previously a term reserved only for the Prophet and Imams) to describe the special companions of the Imams, including the above-mentioned Jabir b. Yazid al-Ju‘fi. Mufid explains that because of their close connection with the Imams, babs were able to perform miracles. However, by the end of this period, rationalists began to reject the term bab precisely because of its widespread usage by self-proclaimed babs. Shaykh al-Ta’ifa,

for example, even used the word bab negatively,[22] indicating that the term had lost its meaning because of its widespread usage.

## Mysticism and New Ijtihad: c. 1200-1600

The Mazyadid dynasty (961-1150) that ruled central Iraq established their capital at Hilla, which subsequently became an important Shi'i center of learning for a full three centuries. Ibn Idris al-Hilli (Muhammad Ibn Ahmad, d. 598/1202) was the first major scholar of the Hilla school and is credited for ending what is often described as a period of emulation (*taqlid*) of Shaykh al-Ta'ifa's formulation of Shi'i thought. Ibn Idris al-Hilli charged Shaykh al-Ta'ifa for introducing innovations into Shi'i thought. Rejecting the validity of isolated hadith reports, he and additional scholars of his time revived the rationalist method of Sharif al-Murtada.[23]

Arguably the most important thinker of this period was Nasir al-Din al-Tusi (d. 672/1274), who is not to be confused with Shaykh al-Ta'ifa al-Tusi discussed above. Nasir al-Din al-Tusi applied philosophical ideas from Avicenna and others to Shi'i theology after having spent considerable time with Isma'ilis in the famous Alamut fortress of the Nizaris.[24] Initially Tusi received patronage from the Isma'ili governor (Muhtasam Nasir al-Din 'Abd al-Rahim) and later became prominent in the government of the Mongol emperor Hulagu Khan (d. 1265). Tusi wrote on a variety of subjects, including mathematics, theology, astronomy, and philosophy. Therefore, he is often referred to as "the third teacher" (*al-mu'allim al-thalith*), the first two being Aristotle and al-Farabi. Tusi was immersed in Shi'i theology and Sufi mysticism. Therefore, he came

[22] See Abisaab, *Converting,* 62.
[23] Moddarressi, *An Introduction*, 45.
[24] Momen, *Shi'i Islam*, 94.

to the conclusion that the distance between philosophy and mysticism was not great.[25] In his autobiography, *Sayr wa-suluk*, Tusi explains how he rejected exoteric kalam and came to support Isma'ili esoteric philosophy. He also wrote a treatise called *Rawdat al-taslim ya tasawwurat*, which is a guide for travelling from the physical plane to the spiritual world and includes a description of Shi'i cosmology. He explains that religious duties must be followed outwardly, but perfect knowledge only emanates from the esoteric path.[26]

Sayyid Haydar Amuli, mentioned at the outset of this chapter, is one of the most cogent theosophical Shi'i thinkers. He claimed that his spiritual mentors were none other than the Imams. Of his most important works is a commentary on Ibn al-'Arabi's (d. 1240) *Fusus* under the grand title "The Compendium of Esoteric Doctrines and the Source of Light" (*Jami' al-asrar wa manba' al-anwar*). An underlying theme in this text is that real Shi'is are those who employ the inner reality (*batin*) of things transmitted from the Imams. Therefore, those who are concerned with religious doctrines and law are only probing the external (*zahir*) aspects of Shi'ism. More importantly for our discussion, though, he claims that Ibn al-'Arabi's book, *Fusus*, was an "inspired book" since it was transmitted to Ibn al-'Arabi by the Prophet after the Prophet had received it in the hereafter.[27] Amuli also explains that his own texts "form two categories: there are those that can be considered as effusions from above, and those that emanate from within us. As to the effusions from above, these are the spiritual exegesis (sing. *ta'wil*) from the

[25] William Chittick, "Islamic Mysticism Versus Philosophy in Earlier Islamic History: The Al-Tusi, Al-Qunawi Correspondence," in *Religious Studies* (Cambridge: Cambridge University Press, 1981).
[26] Daiber, H. and Ragep, F.J. "al- □ūsī , Na□īr al- Din, Abū □j□a□far Muhammad." *Encyclopaedia of Islam, Second Edition*, online edition, Edited by P. Bearman, et al. Brill, 2009.
[27] Corbin, *Islam*. See also Nasr, *Shiism*, 192.

Holy Qur'an."[28] He confirms that his commentary on the *Fusus* is in fact one of those that was "effused upon him from above" as a result of kashf, which he explains is open through Shiʻi gnosiology (or the science of attaining intuitive knowledge) although the period of revelation is closed.[29] In other words, Amuli claimed that his knowledge was not the result of prolonged research, but divine revelation.

Sayyid Muhammad Nurbakhsh (d. 1463) stands out as a further example of this trend of combining rationalist Shiʻi thought with Sufi mysticism. After having studied in the Shiʻi school of Hilla, he claimed absolute authority of the Imam Mahdi, both mystically and judicially. Although Usuli scholars were alarmed at his proclamation, he was not considered an infidel because of his orthodox approach to both Sufism and the Shariʻa.[30] A Sufi order named after Nurbakhsh has survived until the present in Baltistan, located in the mountains of northern Pakistan.[31]

Developments in Shiʻi law during this period were ushered in by scholars in the Shiʻi strongholds of the aforementioned Hilla and Jabil ʻAmil.[32] Al-Muhaqqiq al-Hilli's (d. 1277) formulation of fiqh moved even closer to that of Sunnis as he was weary of Shaykh al-Ta'ifa's reliance on the practice of early Shiʻis. Al-Muhaqqiq al-Hilli used his knowledge of Sunni law to justify ijtihad and qiyas (vehemently opposed by Shiʻis previously) as long as they were formed in the presence of an Imam. Thus, he became the first to adopt ijtihad into his theoretical scheme, which he legitimized on the basis of probability (*zann*), a principle later accepted by Vahid Bihbihani and his Usuli school.

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[28] Quoted. in Nasr, *Shiism*, 192.
[29] Nasr, *Shiism*, 193.
[30] Khwansari, *Rawdat,* 498.
[31] Andreas Rieck, "The Nurbakhshis of Baltistan-Crisis and Revival of a Five Centuries Old Community," in *Die Welt des Islams* (Leiden: Brill, 1995).
[32] According to Shiʻi tradition, Jabil ʻAmil has been an important Shiʻi outpost since the seventh century CE, when Abu Dharr al-Ghafari, a companion of the Prophet and ʻAli ibn Abu Talib settled there.

Acceptance of probable knowledge is a groundbreaking development because it was an admission that certitude in law is not always accessible. Because of the importance that al-Muhaqqiq al-Hilli placed on ijtihad, he increased the authority of mujtahids, claiming that the ‘ulama are the deputies of the Hidden Imam during the occultation. He said that the ruling (*fatwa*) of a judge (*mufti*) is the same as knowledge from God and that the issuance of a fatwa is like “talking with the tongue of [God’s] law.”[33] This statement seems ironic, given Al-Muhaqqiq Al-Hilli’s admission that the endeavors of a mujtahid may only result in probable knowledge and thus not always perfect knowledge.

Al-Muhaqqiq Al-Hilli’s nephew, al-Allama al-Hilli (d. 1327), elevated the position of rational proofs to a new height. He claimed that reason was on par with revelatory texts. As a result he carved out an even larger niche for Shi‘i scholars, arguing that only clerics who were skilled in applying rational proofs could interpret theological and judicial questions. Al-Allama Al-Hilli was the first to suggest that the Shi‘i community be divided to mujtahids and muqallids (those who emulate mujtahids). He even suggested that if a muqallid failed to comply with the rulings (sing. *hukm*) of a mujtahid, he was a sinner. This is the general framework later accepted by Usulis and elaborated on by Bihbihani and Mortaza Ansari (d. 1864).

The school at Hilla was destroyed by the Shi‘i Musha‘sha‘ dynasty in 1449 but rationalist influence continued under the guidance of scholars in Jabal ‘Amil. As mentioned in chapter one, some of these scholars played a prominent role in Iran during the Safavid period. However, initially, Sufi shaykhs had more charismatic authority than the juridical-minded rationalists. It was in this context that al-Muhaqqiq al-Karaki (d.

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[33] Quoted in Andrew Newman, “The Development and Political Significance of the Rationalist (Usuli) and Traditionist (Akhbari) Schools in Imami Shi‘i History from the Third/Ninth to the Tenth/Sixteenth Century,” (PhD Thesis, UCLA, 1986), 511.

993/1534) and Zayn al-Din Ibn ʻAli al-Jubaʻi (d. 966/1558), known as Shahid II, a follower of the school of Shahid I, addressed problems that arose as a result of the adoption of Shiʻism as a state religion. At the heart of these matters were the limits of the power of the ʻulama.

It was Shahid II who originally formulated the theory of the ʻulama's status of general vicegerency (*al-niyaba al-ʻamma*) on behalf of the Imam. Building on al-Allama Al-Hilli, he suggested that the ʻulama possess all the latent duties of the Imams, including declaration of jihad. Significantly, Shahid II, like previous jurists, was primarily concerned with the duties of the Imam that had practical implications for the state. These pragmatic Usulis did not include esoteric dimensions of the Imam's authority into their theoretical conceptions. In other words, they replaced the intuitive methods that the Imams had used to obtain knowledge with rational methods. However, their authority remained the same.

## Akhbari School and School of Isfahan: c. 1600-1800

Since the tenth century, traditionist scholars have rejected the rationalist approach developed by Shaykh al-Mufid and the Hilla school. Traditionists maintained a reliance on the texts and charged rationalists with adopting Sunni methods of jurisprudence. The traditionist trend grew into what has become known as the Akhbari school after Muhammad Amin al-Astarabadi (d. 1626-7) articulated an attack on rationalist methodology.[34] He rejected ijtihad completely as a tool of Sunnis, which, he argued, did not produce perfect knowledge, but resulted in probability (*zann*) at best. Since Astarabadi did not think that the Qur'an could be understood directly by scholars, he

[34] For an overview of the development of the Akhbari school see Gleave, *Scripturalist Islam*.

argued that traditions are the real source of authority for Shi‘is during the occultation. He replaced zann and ijtihad with ordinary certainty (*al-yaqin al-‘adi*) and sensible reasoning (*al-‘aql al-hissi*), which is actually not such a dramatic difference from the type of reason employed by Usulis. Underlying Astarabadi’s approach was the idea that a reliance on traditions will result in a more unified community than the acceptance of probable rulings arrived at by fallible scholars. This is not to be confused with a rejection of juristic authority. Astarabadi was more concerned with how the jurist acquires authoritative rulings than the limits of the jurist’s authority. However, the effect of this approach placed limits on the role of jurists. Whereas Usulis eventually argued that the mujtahids themselves are the authoritative references (sing. *marja‘*) for the Shi‘i community, Astarabadi explained that the hadiths are the marja‘ of the Shi‘i community during the occultation. In other words, he rejected the rational thought of mujtahids and suggested that hadiths are the key source of knowledge and authority.

Astarabadi’s challenge to rationalists spread quickly through a vast scholarly network established by Astarabadi and his ideas were adopted in many Shi‘i centers of learning, including Bahrain and Karbala.[35] Muhammad Taqi al-Majlisi I (d. 1659) explains that the majority of students in the centers of Shi‘i learning accepted Astarabadi’s views. Majlisi I further explains that he chose a moderate position between Usulis and Akhbaris, although he admitted that most of what Astarabadi said is true.[36] Majlisi I rejected qiyas and ra’y and only used ijtihad to reconcile contradictory hadith reports. The focus on traditions during this period brought new hadith reports to light. In fact, the most important collection of hadith during this period was compiled by Majlisi

[35] See Gleave, *Scripturalist Islam*, Chapter 5.
[36] See Gleave, “Akhbari-Usuli Dispute,” 94, and Kazemi, *Religious Authority*, 94.

I's son and successor, Muhammad Baqir al-Majlisi II, in his *Bihar al-anwar*. Similar to his father, Majlisi II is often said to have taken a moderate path, adopting an Akhbari approach judicially, but a more Usuli stance in terms of clerical authority. The affect of the rise of the Akhbari school was to place emphasis back on the texts to the point that Bihbihani's Usuli school accepted the primacy of revealed sources over reason (similar to Shaykh al-Mufid).

Another development that occurred during the Safavid period, especially in the seventeenth century, placed an increased importance on intuition. The School of Isfahan overlaps with the rise of the Akhbaris. As mentioned above, Modarressi completely avoids scholars of the School of Isfahan and does not even include them under rubric of what he calls "those who held independent views" (presumably what he considers as neither Usulis nor Akhbaris).[37] These scholars are often overshadowed by the Usuli–Akhbari debate. It may also be the result of the fact that scholars with a clear theosophical orientation have had a hard time finding a place within the larger context of Shi'ism, even if their thought gained widespread currency in their day. A coherent theosophical thread has not been sustained through time by Imami Shi'is in the same manner as rationalism and traditionism. In other words, it is difficult to point to a consistent theosophical school of thought throughout Shi'i history. To be fair though, it is also difficult to trace a consistent Usuli or Akhbari school prior to the seventeenth and eighteenth centuries. Had it not been for a disconnect between the School of Isfahan and Shaykhis (discussed below), perhaps a coherent theosophical trend would have been established. The fact that Vahid Bihbihani's overall framework was developed in the Hilla school and that Yusuf al-Bahrani identified with Astarabadi and his successors,

[37] Modarressi, *An Introduction*, 55.

seems to have lent consistency to Usulism and Akhbarism respectively. On the other hand, Shaykhis did not identify positively with their premodern theosophical predecessors and were often critical of the founders of the School of Isfahan.

Whatever the reason for the lack of a cohesive theosophical school of thought, greater importance was placed on intuitive knowledge (*kashf*) by scholars who made up the School of Isfahan, which initially developed under the patronage of Shah ‘Abbas I (d. 1629). This school was a continuation of the Illuminationist (*ishraqi*) philosophy that originated with Shihab al-Din Yahya Suhrawardi (d. 1191), who promoted the idea that true knowledge was the result of both rational and intuitive emanations from the mind. The School of Isfahan was founded by Muhammad Baqir Astarabadi, better known as Mir Damad (d. 1040/1631). However, the main proponent of this school was Mulla Sadra Shirazi (d. 1050/1640), who promoted a cosmology that included rationalism and visionary experience and required purification of the soul through asceticism, mysticism and gnosis. Although his thought has been challenged by Usuli jurists, aspects of his theology have been incorporated into Usuli Shi‘ism. Still today, many Shi‘i scholars consider Mulla Sadra’s work (*al-Hikma al-muta‘aliya fi al-asrar al-‘akliyya al-arba‘a*) to be among the most advanced pieces of mystical philosophy (*hikmat*)[38] ever written.

Mulla Sadra also developed a new synthesis for Shi‘i authority in the absence of an earthly Imam. He claims that

> The earth cannot be devoid of a person upon whom the proof [*hujja*] of God rests…Thus, in each time, there must be a saint (*wali*) who worships God by his personal experience and possesses the knowledge of the divine book as well as

[38] Dennis MacEoin, “Mullā □adrā S□H□īrāzī □adr al-Din Mu□ammad b. Ibrāhīm □awāmī S□h□īrāzī.” *Encyclopaedia of Islam, Second Edition*. online version, eds., P. Bearman, et. al, 2009.

> what the ‘ulama and mujtahids have learned. He has absolute supervision and leadership in both religious and temporal affairs.[39]

Therefore, Mulla Sadra was attempting to revive the tradition of Ja‘far al-Sadiq, discussed above, that in every generation there will be a renewer of Islam. Sadra explains that this renewer must be a saint who is a learned (*‘alim*), enlightened knower (*‘arif*) that “acquires his knowledge from Allah intuitively.”[40] Thus, Mulla Sadra envisions that there is a living saint at all times, who does not obtain knowledge from the Imams or even Muhammad but directly from God. Sadra’s hierarchy of Shi‘i authority does include mujtahids, whose legal opinions should be followed only after saints. This does, however, place mujtahids higher than traditionists and folk Sufis, whom Sadra denounces as infidels. The distinction between popular Sufism and high-minded theosophy in Sadra’s mind cannot be overstated. Similar to Bihbihani’s successors, the nineteenth-century scholar Mulla ‘Ali Nuri, who promoted Sadra’s philosophy as well as fiqh, pronounced infidelity (*takfir*) on Sufis.[41]

Mulla Muhsin Fayd Kashani (d. 1680) was a student of Mulla Sadra and developed some of his ideas, such as transcendent wisdom (*al-hikma al-muta‘aliya*). Unlike Sadra, Kashani was a traditionist and an avowed Akhbari. However, his Akhbari credentials were questioned by Yusuf al-Bahrani in *Lu’lu’āt al-bahrayn*. Also different from his teacher, Kashani enjoyed a high position at the Safavid court after Shah ‘Abbas II (1052-77/1642-66) summoned him to live in the capital, where he advised the shah on religious matters and was the Friday prayer leader. Fayd Kashani accepted Mulla Sadra’s general idea that there is always a perfect man, who is an intermediary between man and

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[39] Muhammad ibn Ibrahim Sadra al-Din Shirazi, *Sharh Usūl al-Kafī* (Tehran: Mu’assasa Mutal‘at wa Tahqiqat Farhangi, 1987), 25, Quoted in Kazemi, *Religious Authority*, 119-120.
[40] Ibid., 26. Quoted in Kazemi, *Religious Authority*, 121.
[41] See Kazemi, *Religious Authority*, 127.

God and suggests that the perfect man may be from the ‘ulama class, but is a general vicegerent of the Imam. As an Akhbari he does not include mujtahids in his scheme of authority and dismisses them as innovators.

Towards the end of the Safavid period there was a rise of Shi‘i mystical thought, especially after the reign of Shah ‘Abbas I. The School of Isfahan became so prominent that many government officials and mainstream Shi‘i ‘ulama embraced it, including Mulla Muhammad Taqi Majlisi I (d. 1070/1659) and Mulla Muhammad Baqir Sabziwari (d. 1090/1679), who was a shaykh al-islam of Isfahan. The school flourished, in part, as a result of patronage from Shah Abbas II. Such patronage was challenged by other mainstream ‘ulama, such as Majlisi I and al-Hurr al-‘Amili (d. 1690), who was the shaykh al-Islam of Mashhad.

Majlisi II is also a significant figure of this period, in part because he supported a synthesis of rationalist, traditionist, and illuminationist trends. His scholarship was mainly concerned with collection of hadith material. In fact, his *Bihar al-anwar* is one of the most important modern Shi‘i collections of traditions. However, he also promoted Usuli rationalism and the necessity of mujtahids. Important for this discussion, Majlisi II also promotes the esoteric dimension of Shi‘ism. In *Bihar al-anwar* he says that the goal of the life of every Shi‘i is to emulate the Prophet and the Imams in order to reach their inner (*batin*) state. In fact, Majlisi II was the first to popularize otherworldly Shi‘ism. As a result, the ‘ulama were revered for their power of intercession (*shafa‘a*) in the next world. Majlisi II argued that the elite (*khawass*) are fully capable of the possibility of accessing esoteric knowledge.[42] At the same time, he rejected the idea that the masses or even non-clerics (including political leaders) have the possibility to attain such powers.

[42] See Nasr, *Shiism*, 107.

This idea gained such authority that in the early 1800s, Prince Muhammad ‘Ali Mirza purchased one of the gates of paradise from Shaykh Ahmad Ahsa’i (discussed below) and Sayyid Rida.[43]

## Usuli Revival and Shaykhis: 1800-present

As discussed in Chapter II, Vahid Bihbihani ended a period of Akhbari predominance in Iraq by establishing the Usuli school of thought in the late eighteenth century. His approach to usul al-fiqh was taken directly from rationalists before him and has remained the predominant approach to Shi‘i thought for the last two centuries. Since the rationalist approach has been discussed at length above and Chapter V focuses on Bihbihani’s approach to fiqh, this discussion of the rationalist Usuli revival will focus on Usuli claims to kashf. Bihbihani’s successors have claimed that he was guided by mystic revelations (sing. *kashf*) and Bihbihani’s disciples themselves also made significant claims to kashf.

The most important intuitive revelation attributed to Bihbihani was that his *Sharh al-mafatih* was given to him in a dream by the Imam Husayn as a scroll.[44] This claim differs drastically from his other kashf experiences because it transcends personal guidance from the Imam. In effect, he claimed that the ‘ilm in *Sharh al-mafatih* was not the result of textual research (*naql*), or even reason (*‘aql*), but divine inspiration (*kashf*). If all lay Shi‘is must follow the pronouncements of a mujtahid and Bihbihani was the mujtahid of the age as Usulis have claimed, then Bihbihani’s followers were bound to follow his *Sharh al-mafatih*, which was produced as a result of kashf. In other words, his

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[43] Arjomand, S. A., *The Shadow of God and the Hidden Imam: Religion, Political Order, and Social Change in Shi‘ite Iran from the Beginning to 1980* (Chicago: University of Chicago Press, 1989), 219.
[44] Davani, *Aqa Muhammad*, 137.

followers were expected to emulate his kashf. In this way, the Imam was using Bihbihani as an intermediary to pass on perfect knowledge to the Shi'i community in the same manner that they had during the Minor Occultation.

This is certainly not the first example of a Shi'i scholar claiming that their scholarly work was the result of an intuitive revelation. As Shah 'Abbas was clashing with the Portuguese, Ahmad 'Alawi wrote a refutation of Christianity. 'Alawi claimed that two years before he began intensely preparing to write this text, he saw the Mahdi in a vision commanding him to write a refutation of Christianity. Therefore, upon completion of his *Misqal-i safa*, in which he attempts to prove the superiority of Islam over Christianity, he said that it was inspired by the Mahdi.[45] As mentioned above, Haydar Amuli claimed that *al-Fusus* was transmitted to Ibn 'Arabi in a dream of the Prophet and some of his own works were also the result of kashf. Shahid II also had a dream that amounts to kashf. In the dream Kulayni, the compiler of an early collection of hadith (*al-Kafi*), complains to Shahid II that the copies of his work that were available during Shahid II's time were poorly written and full of copyist errors. In an effort to reconcile the sorry state of his text, he gave the original copy to Shahid II. With the original, Shahid II was able to fix common errors in the existing versions of *al-Kafi*.[46]

Taking these examples into account, it is clear that stories attributing divine inspiration to scholars like Bihbihani, Shahid II, and others have become a common feature of Shi'i hagiography. However, none of Bihbihani's extant writings make references to his kashf experiences. Our only written record of his mystic proclivities are from his successors and Shi'i hagiographers. The above-mentioned experience of

[45] See Devon Stewart, "The Genesis of the Akhbari Revival." in *Safavid Iran and Her Neighbors*, ed. Michel Mazzaoui (Salt Lake City: The University of Utah Press, 2003), 79-81.
[46] Stewart, "Genesis," 175.

Bihbihani receiving a scroll from the Imam Husayn is found in *Riyadh al-jinnah*, written by a student of Bihbihani. It seems, then, that Bihbihani's kashf experiences were projected back on him by his successors for the purpose of bolstering his authority and his status as an agent of God. Viewing him in such a light, Shi'is could more easily accept that he was sent to save the Shi'i community from Akhbaris and establish Usuli clerics as the rightful intermediaries of the Hidden Imam.

How then does kashf fit into Bihbihani's conception of knowledge and authority? After considering Bihbihani's usul al-fiqh, his kashf experiences seem like an anomaly. His conception of jurisprudence is fully taken from his rationalist predecessors and his extant works do not delve into mysticism whatsoever. However, this does not rule out the possibility that he promoted his own charismatic authority among his followers by claiming to communicate with the Imams. In other words, Bihbihani employed kashf as a method of strengthening his authority, but not necessarily as part of his methodology for deriving perfect knowledge. Bihbihani's life was almost wholly devoted to overthrowing the Akhbari establishment in Najaf and Karbala and therefore his most important works are directed toward the Akhbari-Usuli debate. His successors saw him as the renewer (*mujaddid*) of the century and champion of the Usuli school. Therefore, he only included naql and 'aql in his theoretical approach to obtaining knowledge. However, claims to kashf did not decrease after Bihbihani's death. His disciples were well-known for their spiritual adeptness, performance of miracles, and claims to divine knowledge. In fact, the Shaykhi movement, which attempted to incorporate kashf into the theoretical framework of Usuli thought, can partially be understood as a culmination of the charismatic claims made by Bihbihani's disciples. After the Usuli victory over Akhbaris, the last frontier for

scholars on the path of gradually claiming the authority of the Imams was the ability to derive knowledge intuitively.

The Shaykhi school of thought, also known as Kashfiyya, grew directly out of the Usuli circle of Bihbihani and his disciples. The school's founder, Shaykh Ahmad al-Ahsa'i (d. 1241/1826), attended the classes of the most important Usuli scholars in the 'Atabat during his time, including Vahid Bihbihani, Sayyid Muhammad Mahdi Tabataba'i, Bahr al-'Ulum, Kashif al-Ghita', and Mir Sayyid 'Ali Tabataba'i. Most of the ijazas that Shaykh Ahmad received were from students of Bihbihani (Bahr al-'Ulum, Mirza Mahdi Shahristani, Sayyid 'Ali Tabataba'i, and Muhammad Ibrahim Kalbasi), indicating that his formal training was firmly in the Usuli school. However, al-Ahsa'i was not satisfied with his Usuli education and he does not mention any of these teachers in his autobiography.[47] Searching for perfect knowledge, his meditations on the Qur'an led him to have dreams of all the Imams as well as Muhammad. Al-Ahsa'i explains that he was even able to ask questions of the Imams in his visions. This led him to claim that his 'ilm was perfect and that he received an ijaza from each of the Imams, which surely superseded the ijazas that were granted him from above-mentioned scholars. As an affront to Usulis, he asserted that the arguments of the 'ulama based on human reasoning were faulty and therefore did not always produce knowledge that was absolutely certain. It seems to be this disagreement on how to produce perfect knowledge that led to the excommunication of Shaykhis by Usulis scholars.

While in Iran, Shaykh Ahmad was regularly the honored guest of government and religious figures. Qajar princes even lent him financial and moral support. His charisma and supreme debating skills brought him widespread fame and many followers. Some

[47] Vahid Rafati, "The Development of Shaykhi Thought in Shi'i Islam," (PhD Thesis, UCLA, 1979), 42.

scholarly circles even called him the "philosopher of the age,"[48] thus putting him on par with Bihbihani as renewer of the century or mujtahid of the age. Similar to the disciples of Bihbihani, Fath 'Ali Shah invited Shaykh Ahmad to reside in Tehran as his guest, but he declined the offer. Like his colleagues, Shaykh Ahmad, however, did accept land and stipends from the Shah.

As Shaykh Ahmad's supporters grew, he was met with opposition. The beginning of his troubles with the clerical establishment is usually dated from 1824, when Shaykh Ahmad debated Mulla Muhammad Taqi Baraghani in Qazvin. After Shaykh Ahmad answered questions regarding the resurrection of the body, Baraghani declared takfir on the Shaykh because he did not think his views were acceptable according to Shi'i theology. M. Modarressi suggests that the 'ulama of Tehran and Karbala supported Baraghani and also declared Shaykh Ahmad an infidel.[49] Corbin disagrees with Modarressi's claim, arguing that Baraghani's issuance of takfir was not supported by senior mujtahids and those that did challenge Shaykh Ahmad were not even qualified to discuss metaphysical questions as they had not reached the rank of mujtahids.[50] Macoein argues that Shaykh Ahmad's "orthodoxy does not seem to be in doubt among the leading 'ulama, who refused to sanction the takfir."[51] The truth seems to be somewhere in the middle. Shaykh Ahmad was the object of significant hostility and many scholars were alarmed at his theological views, but there is no clear evidence to suggest that the highest ranking mujtahids declared him an infidel (*kafir*).

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[48] Todd Lawson, "Orthodoxy and Heterodoxy in Twelver Shiism: Ahmad al-Ahsai on Fayd Kashani (The *Risala al-'ilmiyya*)." in *Religion and Society in Qajar Iran,* ed. Robert Gleave (London : Routledge, 2005), 129.
[49] M. Mudarrisi, *Shaikhigiri va babigiri* (Tehran, 1972), 48-49.
[50] Henri Corbin, *L'Ecole Shaykhie en Theologie Shi'ite* (Tehran, 1957), 19-20.
[51] Dennis MacEoin, "Changes in Charismatic Authority in Qajar Shi'ism." In *Qajar Iran: Political, Social and Cultural Change: 1800-1925*, eds. Edmund Bosworth and Carole Hillenbrand (Edinburgh: Edinburgh University Press, 1983), 164.

Disagreements between leading Usuli clerics and varying interpretations of Shi'i thought were not uncommon during this time and they did not necessarily lead to excommunication. At the same time, since Bihbihani declared takfir on Akhbaris, it became more commonly used by Usulis, especially as they were consolidating power in the early Qajar period. As noted above, Shaykh Ahmad belonged to the same circle of influential mujtahids that had been trained by Vahid Bihbihani's disciples. They would have been loath to excommunicate a popular student of eminent scholars, such as Kashif al-Ghita' and Bahr al-'Ulum. When Shaykh Ahmad did return to Karbala, however, some of the 'ulama tried to discredit him and even attempted to attract government support in Baghdad to bring him down. Apparently because of the hostility, Shaykh Ahmad left for Mecca in 1826 and died on his way there.

Although Shaykh Ahmad was not cast out of the Shi'i community by senior mujtahids, his successor, Sayyid Kazim Rashti, was. Sayyid Mahdi Tabataba'i put Sayyid Kazim on trial and questioned his theological views on the status of the Imams, the return, and the ascension of the Prophet. Sayyid Kazim admitted that some Shaykhi views were at odds with Usulism. Therefore, the Shaykhi challenge moved beyond a theological debate. Tabataba'i, Shaykh Muhammad Hasan Najafi, and other high-ranking Usuli mujtahids, issued the charge of infidelity (*takfir*) on all members of the Shaykhi community. Another Usuli scholar, Mulla Muhammad Ja'far Astarabadi, even wrote a refutation of Shaykhi thought. From this time, Shaykhis were harassed and violent clashes broke out between Shaykhis and Usulis. Sayyid Kazim was then compelled to leave Karbala.

Although theological issues were the pretext for the declaration of Shaykhi heresy, evidence suggests that during Sayyid Kazim's time, the Shaykhi-Usuli conflict became a struggle for leadership (similar to the Usuli-Akhbari dispute). That Sayyid Kazim was a serious threat to prominent clerics in Karbala seems to be more important a factor for Shaykhi excommunication than theological differences were. Whereas Shaykh Ahmad had avoided involvement in the Shi‘i hierarchy of the ‘Atabat, Sayyid Kazim directly engaged himself in such matters. Sayyid Kazim and Sayyid Ibrahim Qazvini competed for authority in the Iraqi centers of Shi‘i learning with the aid of armed gangs. Additionally, Sayyid Kazim had the firm support of the governor of Karman and friendly relations with the governor of Baghdad. In fact, when Sunni Ottoman forces attacked the ‘Atabat in 1843, Sayyid Kazim attempted to mediate between Ottoman forces and Karbala, albeit unsuccessfully. Significantly, though, his followers were not attacked during the raid.[52]

Even though his thought may not have been aligned with his colleagues, Shaykh Ahmad's views were taken directly from the Shi‘i repertoire. In other words, his synthesis and interpretation of fiqh and theology clearly differed from mainstream Shi‘i thinkers, but were not made up of imported beliefs, un-indigenous to the Shi‘i tradition. Even though he claimed that the ultimate source of his knowledge was derived from kashf, Shaykh Ahmad continuously based his arguments on textual sources and reason in order to stay within the Usuli framework in which he had been formally trained.

Sayyid Kazim Rashti succinctly describes the Shaykhi method of uncovering prefect knowledge. Similar to most Usulis, he explains that Shaykh Ahmad used both

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[52] Mongol Bayat, *Mysticism and Dissent: Socioreligious Thought in Qajar Iran* (New York: Syracuse University Press, 1982), 41-42.

external reasoning and its internal meaning. The first four sources, he explains, are the same as those used by Usulis. In other words, Usulis and Shaykhis accepted the Qur'an, Sunna, reason, and consensus as the first four sources of usul al-fiqh.

Breaking with Usulis, Sayyid Kazim explains a fifth source of law, which he calls the law of the universe (*al-ayat al-murattaba fi al-afaq wa al-anfus*) and is taken from a verse in the Qur'an that says "We will show them Our signs in all the regions of the earth and in their own souls, until they clearly see that this is the truth."[53] It is not exactly clear what this means in practice, but with Shaykh Ahmad's claims to kashf it is most likely a claim that intuitive knowledge as a direct source of knowledge. Therefore, it represents a departure from the Usuli school and places Shaykhis within the Illuminationist tradition. Although Usulis claimed authority on the basis of kashf, they did not include it as a source of law. Shaykh Ahmad accepted kashf as a source of knowledge and authority. In other words, Usulis were not willing to allow claims of intuitive knowledge into the methodology of deriving knowledge as they did with reason, which they had accepted as the basis of their ability to go beyond textual sources.

After Shaykh Ahmad's time, there was a significant decrease in claims to kashf among orthodox Usuli clerics. As they had established their dominance throughout the Shi'i world, there was a decreased need for them to prove their charismatic legitimacy and they were able to fall back on legal-rational authority. Attributions of kashf to Bihbihani and his successors, therefore, can be seen as an attempt to bolster their claims to legitimacy and an attempt to attract support. This is not to say that prominent mujtahids did not claim to kashf at all. However, those who did so, once again felt the need to make their claims in veiled language and not publicize their mystical experiences.

[53] Qur'an, 41:53.

## Recent Resurgence of Kashf

Significantly, as Ayatollah Khomeini was on the verge of initiating changes within Shi'i establishment, he revived claims to kashf and even criticized Usulis for diminishing its importance. Soon after Khomeini made his way to Qom, he began studying philosophy and mysticism. In 1937 he even wrote a commentary on *Sharh al-fusus*, which was itself a commentary on Ibn al-'Arabi's *Fusus* by Sharaf al-Din Dawud Qaysari (d. 1350). As a result of his studies, Khomeini came to the conclusion that there is no contradiction between mysticism and Shari'a. Similar to many theosophists, Khomeini publicly conformed to mainstream legalistic Shi'ism, while privately leaning towards mysticism. He considered himself a follower of Mulla Sadra's Illuminationist philosophy[54] and became interested in the idea of the perfect man, first spoken of Ibn al-'Arabi as the pupil of God's eye. In his commentary, he even says that the perfect man "is the beginning and the end…[and] whoever knows the Perfect Man has known God."[55] He also accepted the idea of cosmic guardianship (*wilayat al-takyini*), believing that guardians inherit Muhammad's mystical nature. These mystic saints are the Prophet's personal representatives and carry out his invisible governance, without which the world would fall into decay.

There is ample proof that Khomeini considered himself to be a perfect man and one of Muhammad's guardians and even to have reached the highest stage of mystical experience in which the mystic claims to be the truth.[56] In other words, Khomeini thought of himself as the source of perfect knowledge for Shi'is of his time. Because Khomeini was the most transformational figure since Bihbihani, it is no wonder that he made an

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[54] Baqer Moin, *Khomeini: Life of the Ayatollah* (New York: I.B. Taurus, 1999), 46.
[55] Moin, *Khomeini*, 48.
[56] This is confirmed by Mehdi Ha'eri Yazdi, the son of Ayatollah Ha'eri. See Moin, *Khomeini*, 51.

appeal to intuition. His use of mystical claims once again adds evidence to the fact that kashf is often employed by Shiʻi leaders attempting to make changes in the establishment.

## Conclusion

Although claims to intuitive knowledge and authority are a phenomenon which is present throughout the whole of Shiʻi history, they are especially prevalent in transitional periods. Put differently, intuition (*kashf*) facilitates change within Shiʻi thought by adding authority to new interpretations of the tradition. Similar to reason, kashf is a means by which clerics can move beyond textual sources and challenge prevailing interpretations (*taqlid*). Even more than reason, kashf provides legitimacy to those who initiate changes in taqlid. Both Bihbihani and Khomeini challenged the establishment, but did not attempt to make any major changes within Usuli fiqh. But, in order to legitimize their changes, they are said to possess intuitive knowledge. Shaykhis attempted to incorporate kashf as a legitimate source of deriving new knowledge, just as Usulis adopted reason as a source of knowledge. However, by the time Shaykhis challenged Usulis for power, Usulis had already filled the power vacuum in each of the major Shiʻi strongholds and they were unwilling to accept a source of official knowledge and authority that trumped reason.

In each phase of Shiʻi thought, scholars created their own theoretical synthesis on how to derive knowledge, which almost always included some measure of the textualism, rationalism, and intuition. These three sources form a hierarchy of methods for determining knowledge and authority. Akhbaris promoted textual sources as the only means for arriving at perfect knowledge. Although, as Yusuf al-Bahrani pointed out, Akhbaris cannot avoid using reason in practice even if they may not admit it. And some

Akhbaris accepted kashf, like Fayd Kashani. The majority of Usulis also accepted revelatory texts as the surest source of knowledge, although they promoted reason for cases that are not discussed in textual sources and for interpreting the texts. Many Usulis have also made appeals to intuition. Theosophers, including Mulla Sadra and Shaykh Ahmad, situated kashf at the top of their hierarchy of sources, but they also accepted that sure knowledge could be derived from the texts and reason, albeit to a lesser degree than intuition. It was precisely the Shaykhi acceptance of kashf into the theoretical approach to deriving knowledge that was unacceptable to Usulis. Had they accepted it, they would have also had to identify and accept a living perfect Shi‘i, whose authority would not only rest on a deep knowledge of the texts and sound rational ability, but on intuitive powers. From Bihbihani's time until the present, mujtahids have been chosen primarily on the basis of their outward knowledge and ability to interpret the sources based on reason. In this way, a rationalist-Usuli approach to knowledge and authority has come to dominate Shi‘i thought and leadership for the past two centuries.

In a broad sense, the three sources of revelatory texts, reason, and intuition are a check and balance system for knowledge and authority. The texts preserve the tradition and place a check on unbridled reason and intuition. Put differently, revelatory texts provide a foundation, which actually gives the tradition its Shi‘i /Islamic nature. Without the texts, there would be no Shi‘i tradition. However, these texts must be translated into reality and social action. Therefore, they require interpretation. During the occultation of the twelfth Imam, the role of interpretation has generally been left to scholars and has formed the basis of their authority. Reason clearly protects against literal readings of the texts and functions as a way for jurists to apply the texts to real-life cases. Reason also

prevents the development of personality cults that could develop on the basis of claims to intuitive knowledge. Intuition allows a creative, spiritual approach to the texts and has been an impetus for new developments in knowledge and authority. Just as reason can prevent literalism and superstition, intuition can prevent overly legalistic approaches and add new insights to the texts.

# CHAPTER V

# VAHID BIHBIHANI'S THEORETICAL APPROACH TO ISLAMIC LAW

## Introduction

Since the majority of this study is concerned with the origins and development of the Usuli Shiʻism, which is an intellectual movement at its core, it is important to discuss Vahid Bihbihani's thought. As noted in Chapter II, Bihbihani's works have not been widely studied by Shiʻis after his time. However, focusing on his scholarly opinion is warranted because he was the founder of the most dominant modern Shiʻi trend. The Usuli-Akhbari debate was primarily concerned with knowledge and authority. For legalistic Islamic scholars (like Bihbihani and his Akhbari counterparts), knowledge and authority belong to the domain of law (*fiqh*). As a result of Bihbihani's desire to overthrow the Akhbari establishment, his writings are primarily concerned with the authority of jurists and the principles of Islamic law (*usul al-fiqh*), which were at the core of the Usuli-Akhbari dispute. Given that Muslims assert Islamic law as a comprehensive system that permeates social, political, economic life, the outcome of the dispute has been immense. Any shift in Islamic legal thought of this magnitude would have significant consequences. As a catalyst of the shift towards Usulism, a greater understanding of Bihbihani's thought is crucial.

Bihbihani operated almost entirely within the legalistic tradition that had been developed by Islamic scholars (especially Shi‘is) long before his time. As outlined in the previous chapter, his approach to uncovering authoritative knowledge was based on the rationalist tradition of Shi‘i scholars, which he revived. His Usuli school of thought has continued from his time until the present, albeit with a few of revisions. Based on Bihbihani’s writings, the following will outline his theoretical approach to Islamic law. Specifically, I will discuss his overall approach to knowledge and authority and his methodology of interpreting the foundational texts (i.e. Qur’an and Sunna). As noted in Chapter I, Robert Gleave has laid groundwork for Bihbihani’s thought.[1] In this chapter, I hope to build on his work.

Bihbihani wrote a number of works on Islamic law. His most important usul al-fiqh work is *al-Fawa’id al-ha’iriyya*. Like other works in the field of usul al-fiqh, Bihbihani wrote *al-Fawa’id* for the purpose of establishing and exploring authoritative sources of knowledge and authority. Additional writings of Bihbihani that will be considered here are *al-Risa’il al-usuliyya* and *al-Risa’il al-fiqhiyya*. Similar to *al-Fawa’id al-ha’iriyya*, these treatises are written for the purpose of undermining the Akhbari approach and asserting the veracity of Usulism. In these texts, he reaffirms the primacy of the Qur’an and hadith. However, he calls the authority of many hadith reports into question, which serves to undermine the authority of Akhbaris since they claim to rely almost exclusively on the texts. Bihbihani also rejects a literal reading of the texts, which he suggests is the method of Akhbaris. Instead, he insists that the texts should be understood within the linguistic (*lugha*) and customary (*‘urf*) context in which they were originally received. Therefore, Bihbihani suggests, it is necessary for mujtahids to rely on

[1] Gleave, *Inevitable Doubt*.

the consensus (*ijma'*) of the early Arab Muslim community and interpret the texts rationally.

## Bihbihani's Conception of Legalistic Knowledge (*'ilm*)

Bihbihani makes a critical distinction between knowledge (*'ilm*) and reality (*haqiqa*, *waqi'*). He clearly states that "knowledge is not what conforms to reality (*al-'ilm ma tabiq al-waqi'*)."[2] To clarify, he explains that Jews "know" that Muhammad is not a prophet and polytheists "know" that there is more than one god. In other words, knowledge (*'ilm*) is relative to the one who possesses it. Reality (*haqiqa*) is the ultimate truth, which is not relative. It is the truth according to God, the Lawgiver. At first glance, Bihbihani's view of knowledge may seem to conform to the postmodern notion of relativism, in which everyone's truth is equal. However, considering his cosmology, Bihbihani clearly believes that his (Usuli Shi'i) knowledge is superior to that of Jews, polytheists, and so on because he has access to the divine reality. Or at least his knowledge is in closer proximity to God's reality than that of others. Through what means does he have access to this superior knowledge? As outlined earlier, Bihbihani does not include divine inspiration (*kashf*) in his theoretical framework for deriving knowledge. Claims to divine inspiration, rather, are generally used by Usulis as a tool to reinforce the authority of their knowledge. So, if not through supernatural means, then where does his perfect, or relatively perfect, knowledge come from?

Ultimately, Bihbihani's link to God's reality is the word of God as found in the Qur'an, Sunna of the Prophet Muhammad, and the hadith reports of the infallible (*ma'sum*) Imams. Since Sunni Muslims reject the legitimacy of the Imams as

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[2] Vahid Bihbihani, *al-Fawa'id al-ha'iriyya* (Qum: Maja'al-Fikr al-Islami, 1995), 130.

Muhammad's successors and possessors of perfect knowledge, they are deprived of access to ultimate reality (from a Shi'i perspective). But, Bihbihani also did not believe that Shi'is always attain the Truth (*haqiqa*), which coincides with the divine reality. In fact, he attacked Akhbari's because they did not interpret the texts properly. Therefore, Bihbihani's Usuli methodology of interpreting the texts and applying them to judgments is his basis for claiming his knowledge is more likely to conform to Reality than that of others, including Sunnis, Akhbaris, Sufis.

Bihbihani rejects the notion that the gate of knowledge (*bab al-'ilm*) is closed by claiming that it is accessible through methods such as "the gate of evidence, the gate of hadith reports, or the gate of the conjecture (*zann*) of a mujtahid (*bab al-shahada, aw bab al-khabar, aw bab al-zannun al-ijtihadiyya*)."[3] Through these "gates" or devices, Bihbihani suggests that it is possible to produce indicators (sing. *dalil*) that lead to perfect knowledge. His acceptance of the opinions or conjectures (sing. *zann*) of mujtahids as an authoritative source of knowledge is his most critical contribution to Shi'i thought and leadership because it made mujtahids the final arbiter of the truth and gave them the ability to determine divine reality. This is also the most important distinguishing feature that separates Usulis and Akhbaris.

Vahid Bihbihani begins his *Fawa'id al-ha'iriyya* by explaining the grave dangers of interpreting Islamic law (*fiqh*) because of its complexity and long-term impact. He compares fiqh to medicine, explaining that both doctors of law and doctors of medicine hold a position of authority and have the power of authorization. Therefore, they both must use extreme caution because false theories can be disastrous and lead to eternal

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[3] Bihbihani, *al-Fawa'id*, 142.

damnation.[4] However, Bihbihani claims that errors in law are far more dangerous than in medicine because mistakes in medicine can only lead to bodily harm, whereas errors in law affect social and economic relations. Even worse, the misguidance of a legal scholar can have calamitous results in matters of faith.[5] In Bihbihani's mind, social well-being and eternal salvation depend on the wise guidance of doctors of Islamic law (sing. *mujtahid*), not on medical doctors, politicians, or any other professionals. If a mujtahid rules incorrectly, he might authorize killing innocent persons, forbid a permissible marriage, or take money from its rightful owner. Further, according to Bihbihani, the impact of medicine, whether good or bad, is short-term and at most can last a lifetime. However, the all-encompassing influence of Islamic law transcends generations and can even last until the end of time. In other words, Bihbihani accepts the eternality of the influence of mujtahids.

Bihbihani argues that arriving at absolute knowledge in fiqh is far more difficult than in medicine and the natural sciences. Physicians can use trial and error and other scientific methods in order to prove or disprove their theories, but legal scholars do not have such a luxury. Therefore, as Bihbihani asserts, science does not require great effort because it does not contain contradictions.[6] In Bihbihani's mind, the natural world is perfectly rational and therefore predictable. Conversely, contradictions are found in the sources on which Islamic law is based (i.e., Qur'an and hadith), which requires reconciliation. According to Bihbihani, then, the difference between science and Islamic law is that science is based on a rational world, whereas Islamic law is based on textual sources, which contain incongruous statements (as Bihbihani himself suggests).

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[4] Bihbihani, *al-Fawa'id*, 91.
[5] Bihbihani, *al-Fawa'id*, 91.
[6] Bihbihani, *al-Fawa'id*, 93.

Does this mean that Bihbihani rejects the idea that God is perfectly rational? If God is the supreme rational being, as Bihbihani asserts, why do the texts that He sent down contain contradictions? He reconciles these questions by explaining that all textual contradictions are a result of human errors, like copyist mistakes. Dissimulation (*taqiyya*) of the Imams has also created incongruous statements in hadith reports. Additionally, the texts contain allegorical statements, which cannot be understood through a literal interpretation. Only with the proper amount of reason and textual exegesis, which are the prerogatives of mujtahids, can God's true intention become clear.

Bihbihani puts the onus of resolving textual uncertainties on mujtahids, who are the only agency capable of uncovering God's will. Even after the mujtahid undertakes the great effort of discerning truth from falsehood, it is possible that doubt will remain. In fact, Bihbihani clearly states that "all fiqh is theory or assumption," which is initially located in the realm of confusion, doubt, or even hallucination.[7] Like scientific theories, Islamic law must be tested and stand the test of time. If a theorem remains uncontested, it must be true. Thus, it is possible for mujtahids to elevate a legal judgment from doubt to certainty by virtue of their widespread acceptance (*ijma'*) of it. But, the only way to be sure that a mujtahid's judgment did, in fact, produce certainty is its widespread acceptance and longevity. Therefore, if a mujtahid's judgment is generally accepted by other scholars, it is the Truth. As explained below, this illustrates the importance that Bihbihani places on the legal principle of consensus (*ijma'*). Once a judgment achieves consensus, it becomes absolutely imperative for Muslims to follow it as precedent (*taqlid*).

[7] Bihbihani, *al-Fawa'id*, 93.

At the end of the first section of *Fawa'id al-ha'iriyya*, Bihbihani states that if a physician is incapable or imperfect, he would be considered the enemy of the flesh. Likewise, if a jurist is incapable or imperfect, he becomes the enemy of religion and faith.[8] This position seems to go against the premise that a mujtahid who engages in ijtihad will receive one reward if he is wrong, simply for his effort, and two if he is right, which is widely accepted by Muslims.[9] However, Bihbihani's argument must be interpreted within the polemical milieu in which he was writing. In effect, he is saying that Usulis have the authority to produce correct legal judgments because their approach is rational, whereas Akhbaris are the enemies of religion because they have rejected the Usuli method.

This explains why Bihbihani felt it necessary to declare infidelity (*takfir*) on Akhbaris. In his mind, they were incapable jurists, and thus enemies of Islam. Citing the Qur'anic verse that says "Whosoever judges not according to what God has sent down – they are the ungodly,"[10] Bihbihani explains that one must look at this verse until he realizes that "whoever rules unjustly becomes an infidel (*kafir*)."[11] Following this line of argumentation, he suggests that Akhbaris are ungodly infidels because they produce unjust rulings as a result of their unsound methods.

Although Bihbihani initially seems to argue that knowledge is relative, he ends up adopting a completely foundationalist approach. His line of reasoning for takfir is even fundamentalist, because it assumes that an Akhbari approach to fiqh is not simply wrong but results in infidelity, even if the "rational" approach of Usulis can produce a variety of

[8] Bihbihani, *al-Fawa'id*, 94.
[9] See Bernard Weiss, *The Spirit of Islamic Law* (Athens: University of Georgia Press, 1998)
[10] *Qur'an*, 5:47, Trans., Arberry.
[11] Bihbihani, *al-Fawa'id*, 93.

outcomes and may not coincide with divine reality. Additionally, Bihbihani does not simply warn Shi‘is not to follow the incorrect rulings of Akhbari scholars. He clearly states that their false rulings make them infidels, who should be dealt with as such. This was the justification for his successors (especially his son Muhammad ‘Ali Bihbihani) to issue death warrants to Akhbaris and Sufis.

### Four or Five Sources of Usuli Shi‘i *fiqh*?

Bihbihani's theoretical approach to Shi‘i law was not drastically different from rationalist Shi‘i scholars prior to his time. In fact, his conception of the sources of jurisprudence (*usul al-fiqh*) is best understood within this rationalist tradition. Far from rewriting the Usuli playbook, he takes a moderate position among rationalist scholars. He does not argue in favor of unbridled reason, nor does he call for an uncritical adoption of all textual sources. In descending order, Bihbihani (similar to the majority of Usulis) argued that the following four sources are the basis of Islamic law: the Qur'an, Hadith, consensus (*ijma‘*), and reason (*‘aql*). Bihbihani formally and theoretically rejected analogy (*qiyas*) as a fifth source because of the long-standing Shi‘i-Sunni polemic over the issue. However, he did support the transference (*ta‘adiyya*) of existing judgments to new cases. One of the methods of transference he accepted was analogy, which he differentiates from Sunni qiyas (discussed further below). Because of the hairsplitting difference between his methods of "transference" and the Sunni conception of analogy is minute, it seems that Bihbihani rejected qiyas as part of the ongoing sectarian debate. However, in practice, he makes use of analogy without calling it qiyas.

## The Qur'an (First Textual Source)

The foundation of knowledge for Bihbihani, as for most Muslims is text-based (*naql*). Textual sources are the only direct connection to absolute truth because God sent the Qur'an directly to Muhammad. The sayings of Muhammad and the Imams (*akhbar*) are infallible interpretations of God's word. The only proof of God's knowledge is what He says through Muhammad and the Imams. Additional sources are methods of understanding and interpreting the texts. Bihbihani, however, does accept reason (*'aql*) as a source of knowledge and authority independent of the texts (discussed below). Reason as an independent source can only be considered on cases that are not explicitly clear in the texts or unanimously accepted by Muslim scholars.

Like all Muslims, Bihbihani views the Qur'an as the most authoritative source of knowledge. It is the word of God and the supreme source from which one can uncover God's reality and law. The Qur'an is the divine command that came through Muhammad. Since the Qur'an is the revealed intention of God, the Lawgiver, it is imperative for all to be obedient to its commands and not to question or speculate on the truth found within it.[12] In other words, reason or interpretation cannot be applied to the Qur'an when its intention is clear. To illustrate this point, Bihbihani states that even a child can understand the intention of the Qur'anic verse "Do not come nigh to adultery."[13] Because this statement is clear, it is not necessary to interpret it. Further, Bihbihani claims that whoever does not obey the commandments in the Qur'an, does not revere God's speech in it, and is not satisfied with it. Therefore, he is an infidel (*kafir*).[14] This reference to

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[12] Bihbihani, *al-Fawa'id*, 284.
[13] Qur'an 17:32, Bihbihani, *al-Fawa'id*, 285.
[14] Bihbihani, *al-Fawa'id*, 284.

infidelity is emblematic of Bihbihani's division of the Muslim community into believers and unbelievers, Usulis and Akhbaris.

The main argument that Bihbihani makes in regard to the Qur'an is that it has probative force (*hujjiyya*), which produces certainty.[15] This means that jurists are not bound to accept interpretations of the Qur'an found in hadith reports. He charges that "Akhbaris forbid this completely, which is very surprising because the probative force (*hujja*) [of the Qur'an] is the word of God."[16] Although the majority of Akhbaris do not, in fact, reject the Qur'an as an independent source, this is Bihbihani's polemical argument. Supporting his claim, he says that each of the reports which suggest that the Qur'an cannot be interpreted is not widespread and therefore dubious.

Although Bihbihani vehemently argues that the Qur'an is the preeminent independent source of law, he acknowledges that Qur'anic verses are not always clear and do not always produce an indicator (*dalil*) of sure knowledge. In fact, he accepts three general categories of Qur'anic indicators, namely definite (*qat'*), strong conjecture (al-*zann al-qawi*), and conjecture (*zanni*).[17] Like many Shi'i scholars before and after him, Bihbihani also accepts that certain Qur'anic verses (especially those that supported Shi'i claims) were not included in the canonized Qur'an.[18] However, he suggests that Shi'is should read one of the known seven versions of the Qur'an based on the Imami hadith "read as the people read during the time of the Qa'im."[19] He also concedes that not

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[15] This is the primary subject of section (*fa'ida*) 28 of *al-Fawa'id*, 283-287.
[16] Bihbihani, *al-Fawa'id*, 283.
[17] Bihbihani, *al-Fawa'id*, 284.
[18] Bihbihani, *al-Fawa'id*, 286. Robert Gleave translates Bihbihani's position on the Qur'an as follows: "It is clear from the many akhbar that [corruption] occurred…Our position is that it is permitted to act upon one of the famous seven variants [of the Qu'ran]. The indicator for this position is the statement, or rather the order, of the Imams that "You must recite as the people recite until the day of the return of the *qa'im*." Gleave, *Inevitable Doubt*, 64-65.
[19] Bihbihani, *al-Fawa'id*, 286.

all Qur'anic verses are necessarily clear to the intellect. However, even if the meaning of a Qur'anic verse is unclear, it still overrules hadith reports, but is subject to the conjectural (*zanni*) ruling of a mujtahid.[20]

Traditions (*hadith*, Second Textual Source)

For Bihbihani, and indeed for the majority of Muslims, hadith reports are the second most authoritative source of knowledge and law. For Shi'is, this includes both prophetic hadiths (i.e. Muhammad's Sunna) and hadith reports from the Imams, which are rejected by Sunnis. In line with most Shi'i scholars, Bihbihani cites the Prophetic hadith in which Muhammad says he has left two things for the community: his book and his family (i.e. the Qur'an and the Imams). Bihbihani uses this reference as proof that the hadith of the Imams (as well as the Prophet) are the second source of Islamic law.[21]

In Bihbihani's view, the Imams fit into the process of producing perfect knowledge by providing infallible interpretations of the laws already revealed by God via Muhammad. Therefore, he seems to indicate that it is not possible for hadith reports from the Imams to contain new rulings that are outside the purview of the Qur'an. He explains that hadiths are a witness or supporting evidence (*shahadan*) of the Qur'an.[22] In other words, hadiths are essential for explaining the correct implementation of Qur'anic injunctions. They illustrate the method of carrying out what has been commanded in the Qur'an. Bihbihani explains that the origin or initial intention of hadith texts was to

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[20] Gleave, *Inevitable Doubt,* 65.
[21] Bihbihani, *al-Fawa'id*, 284.
[22] Bihbihani, *al-Fawa'id*, 284.

explain the manner (*kayfiyyat*) of proper practice.[23] Therefore, he states that if a clear ruling can be found in a hadith report, it is legally binding.[24]

Bihbihani's critique on the manner in which hadith reports were collected is illustrative of his attack on the Akhbari school. Because of his polemical stance, Bihbihani's approach to the hadith is a bit schizophrenic. On one hand, Bihbihani praises the hadith as the second most important source of knowledge. On the other, he emphasizes the pitfalls of extracting the truth from them as a way to undermine the authority of Akhbaris. As noted above, he suggests that most of the reports (*akhbar*) are authoritative. However, he explains that many reports did not survive and many of those that did survive were not properly examined by hadith collectors. Of the reports that were examined, he explains, it is difficult to distinguish between the words of the collector, narrator, and the original text of the hadith. Since it is difficult to determine what the original intention of the Lawgiver was, it is often impossible to extrapolate commands from individual hadith reports.[25] Further, Bihbihani claims that the interpretation of hadith reports (as well as many verses from the Qur'an) was determined by the clashing opinions of the 'ulama, who would often produce opposing viewpoints.[26]

Bihbihani argues that additional alterations of hadith reports took place as a result of copyist errors, misspellings, misplacement of diacritical marks, and other elements of the text that were added or deleted.[27] In Bihbihani's mind, the net result of these complications is that the original ruling was changed and what is now "known" from the

[23] Bihbihani, *al-Fawa'id*, 316.
[24] Bihbihani, *al-Fawa'id*, 317.
[25] Bihbihani, *al-Fawa'id*, 118.
[26] Bihbihani, *al-Fawa'id*, 118.
[27] Bihbihani, *al-Fawa'id*, 118.

hadith is not the same as the intended meaning of the Imams.[28] However, for Usulis and indeed for Bihbihani, this does not mean that all hadith reports should be thrown out. It simply means that there must be a system in place to differentiate between sound and dubious reports.

Because hadiths are much more problematic for Bihbihani (and Usulis) than they are for Akhbaris, Bihbihani adopted a more complex system for utilizing them in the process of producing ʻilm than did Akhbaris. Similar to Qur'anic verses, he adopts a hierarchical scale for the hadith, which includes sound (*sahih*), fair (*hasan*), transmitted (*marsal*), documented (*mawthiq*), or week (*da'if*).[29] He only accepts widespread (*mutawatir*) hadith reports as authoritative and thus capable of producing ʻilm without the use of reason or other exegetical tools. Since Akhbaris claimed that their school of thought was based on the texts, they sought to maximize acceptance of hadith reports. In order to undermine Akhbari authority, Bihbihani problemitized the hadith and minimized the number of acceptable hadith reports.

Bihbihani clearly states that if a hadith report contradicts a Qur'anic verse, then the report is not sound and should be rejected. He writes that the Imams repeatedly professed that "any hadith which disagrees with the Qur'an should be thrown against the wall," that "we never disagree with the Qur'an," and "what is found in the hadith is a witness to the Qur'an."[30] Significantly, however, he does not provide a reference the above-mentioned hadith reports, which form the textual basis of his argument. In all, though, he maintains that it is never acceptable to disagree with the Qur'an.[31]

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[28] Bihbihani, *al-Fawa'id*, 119.
[29] Gleave, *Inevitable Doubt*, 69.
[30] Bihbihani, *al-Fawa'id*, 284.
[31] Bihbihani, *al-Fawa'id*, 284.

Given that Bihbihani rejects the ability of all hadith reports to produce certainty, he is baffled that Akhbaris would even consider accepting a hadith report if it contradicts a Qur'anic verse. Dumbfounded, he wonders how Akhbaris can possibly accept a hadith report as a proof of absolute knowledge, but not a verse from the Qur'an.[32] In this way, Bihbihani exaggerates the position of Akhbaris by suggesting that they reject the Qur'an in favor of hadiths. He interprets the Akhbari system of law as almost entirely relying on one imperfect source of knowledge and authority – the hadith. The implication is that the Akhbari school is simplistic and unscholarly, whereas his Usuli system is complex, combining textual exegesis, rational thought, and other precise methods. Bihbihani seeks to make it obvious that Usulism, not the primitive Akhbari school, is the high-minded school that correlates to the high stakes of Islamic law.

Many Shi'i scholars have argued that contradictions between hadith reports (*akhbar*) are the result of dissimulation (*taqiyya*). Shi'i scholars have also addressed the possibility that hadiths were fabricated by dissenting groups in order to support their position. The distance between the issuance of a report and the time of its collection is also often cited as a common reason for textual contradictions. Bihbihani argues that intra-akhbar conflicts *cannot* be explained by taqiyya. However, he claims that all contradictions that are found between the Qur'an and hadith are a result of dissimulation (*taqiyya*). In fact, he claims that taqiyya can only be identified if a report contradicts the Qur'an or agrees with Sunnis.[33] This statement is surprising since Bihbihani accepts the ijma' of Sunnis. However, he does not account for this non sequitur.

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[32] Bihbihani, *al-Fawa'id*, 285.
[33] Gleave, *Inevitable Doubt*, 163.

An additional problem that hadith scholars are forced to deal with is the fact that many hadith reports are only reported by one transmitter (*akhbar al-ahad*). Bihbihani dedicates an immense amount of attention to this debate. Similar to his approach to the hadith as a whole, Bihbihani's attitude towards akhbar al-ahad is formulated in service of his desire to limit the number of acceptable hadith reports and thereby undermine Akhbaris. Unlike most Akhbaris and some Usulis (such as Mortaza Ansari), Bihbihani generally rejects singular reports (*akhbar al-ahad*). The only cases in which he accepts akhbar al-ahad is when they are in agreement with the consensus (*ijma'*) of the companions of the Prophet and Imams, other well-known akhbar, or a Qur'anic verse.[34] In practice, then, akhbar al-ahad are only useful to Bihbihani in providing support to established judgments. Conversely, if a singular hadith report (*khabar wahid*) does not contradict another acceptable report, ijma' or the Qur'an, it only has the power to produce probable (*zanni*) knowledge. In Bihbihani's words "a singular hadith report (*khabar wahid*) produces conjectural (*zanni*) knowledge because of its chain of transmitters (*sanad*), text (*matn*), and proofs (*hujjat*) and if the opposite of what is verified from it is not opposed to a report (*khabar*), a Qur'an verse, or conjectural consensus (*ijma' zanni*)."[35]

## Consensus (*ijma'*)

Aside from the Qur'an and widespread (*mutawatir*) hadith reports, consensus (*ijma'*) is the most important source in Bihbihani's fiqh. For him, the most valid consensus is the agreement of the companions of the Prophet Muhammad and the Imams. Additionally, he accepts the consensus of subsequent scholars. Bihbihani utilizes

[34] Bihbihani, *al-Fawa'id*, 119.
[35] Bihbihani, *al-Fawa'id*, 140.

consensus as a complimentary source of authority to the texts. He argues that it is impossible to understand a ruling based on hadith, except with the aid of ijma‘.[36] He also says that his own fiqh is from the sum of the companions of the Prophet (*riwayat*).[37] Further, what is obtained from agreement is higher than common knowledge (*badiha*) and becomes part of the Shi‘i school of thought (*madhhab*).[38]

Bihbihani explains the necessity of ijma‘ in very practical terms. He says that although hadith reports are transmitted from one generation to the next and contain prophetic decrees, the exact intention or spirit of the injunction is not necessarily clear to someone reading it now. However, the believers that originally received the texts understood the intention behind the text and thus formulated the correct practice correlated to the textual command.[39] As an example, Bihbihani suggests that a survey of the companions of the Imams clarifies how ablutions before prayer are to be carried out.[40] He further explains that all Muslims agree on the five daily obligatory prayers and the call to prayer (*‘azan*) because it was established by the "head" (*ra'is*) of the religion and, thus, became unanimously accepted by the companions.[41] Especially since the sayings of the Imams support ijma‘, Bihbihani suggests that there is no disagreement among Shi‘is on the ability of ijma‘ to act as a proof (*hujja*) of perfect knowledge.[42]

The uniform practice of the early community is a source of absolute certainty for Bihbihani. He states that "agreement between the early believers (*qudama'*) is stronger

[36] Bihbihani, *al-Fawa'id*, 296.
[37] Bihbihani, *al-Fawa'id*, 298.
[38] Bihbihani, *al-Fawa'id*, 301.
[39] Bihbihani, *al-Fawa'id*, 297-98.
[40] Bihbihani, *al-Fawa'id*, 299.
[41] Bihbihani, *al-Fawa'id*, 299.
[42] Bihbihani, *al-Fawa'id*, 302.

than what is closer to [the present] time (*'ahd*)."[43] Therefore, at first glance, Bihbihani's interpretation of ijma' may seem fundamentalist because he argues in favor of rejecting more current interpretations of the texts in favor of interpretations of the "original" community. However, he differs from many fundamentalist thinkers in that he does not believe that the past (i.e. the early community) holds all the answers for novel cases or cases that have not yet reached unanimous agreement. He does not suggest that the original community should be recreated in the present. However, he does argue that present and future communities must adopt practices on cases in which the early community was in agreement. Bihbihani favors the idea that Shi'ism must be purified from innovations of Shi'i law and practice that have been changed after the time of the original community. Cases on which the early community had either not confronted or disagreed must be resolved through the process of ijtihad. Once ijtihad is carried out, a mujtahid's decision has the power to become truth if it is universally agreed upon by the 'ulama – which is another form of ijma'. Therefore, in Bihbihani's terms, the consensus (*ijma'*) of the 'ulama provides evidence for absolute Reality (*haqiqa*).[44]

In practice, Bihbihani is open to reinterpretations of the texts. He relies on the ijma' of the past or interpretations of previous scholars when he thinks they represent established norms. However, he argues that it is the prerogative of mujtahids to establish new rulings on cases that are not yet settled. Therefore, Bihbihani does not take a fully fundamentalist position on this issue – in which it is generally necessary to return to the past in order to find answers for the present. However, he believes that certain norms that

[43] Bihbihani, *al-Fawa'id*, 314.
[44] Gleave, *Inevitable Doubt*, 81-2.

are universally agreed upon, such as fasting and the prohibition of alcohol, should never change.

## Reason (*ʻaql*)

Bihbihani argues that it is clearly possible for jurists to make rulings on the basis of sources other than the texts. This fact is more significant than it may appear because many rationalists argue that reason and other sources can only be employed as exegetical tools. Bihbihani argues that reason is an independent source of knowledge and authority. Therefore, mujtahids can produce rulings based on reason alone – but only on cases that are not explicit in the texts and have not achieved the status of consensus (*ijmaʻ*). Bihbihani suggests that there are many sound akhbar that indicate the validity of reason (*ʻaql*) as a proof (*hujja*). In service of this argument, Bihbihani claims that the continuous use of ʻaql is necessary for liberation (*itlaq*). Further, he explains that reason (*ʻaql*) is Truth and therefore "the source of happiness."[45] Therefore, Bihbihani suggests that reason is a proof because of its necessity, without which it would be impossible for Islamic law to operate. In other words, he employs a utilitarian argument to suggest that reason is fundamental to Islamic law.

Similar to the possibility of false interpretations of the textual sources, Bihbihani suggests that the law is vulnerable to false logic. He argues that it is imperative to remove what has wrongly entered into the Shariʻa as a result of false reason.[46] Therefore, he opens up the possibility of reinterpreting Islamic law through a process of purifying it from what has wrongly become part of the tradition.

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[45] Bihbihani, *al-Fawa'id*, 109.
[46] Bihbihani, *al-Fawa'id*, 96.

Similar to his Usuli predecessors, Bihbihani generally accepts Imami-Mu‘tazili theology and therefore believes that God is the ultimate rational being. Thus, God’s revelation and reason are in complete agreement (*mulazama*). Bihbihani’s explanation of reason (*‘aql*) largely focuses on the question of good and evil, which was elaborated on by early Mu‘tazali scholars. He argues that through reason it is possible to distinguish between good and evil (*al-tahsin wa al-taqbih*) just as ears can differentiate between noise and singing.[47] In other words, the rational faculty naturally senses something evil because it will lead to a disgusting feeling and something good will produce a positive feeling.

Bihbihani responds to the Ash‘ari reply to this argument that one might neglect one’s prayers because one cannot rationally perceive their benefit. He actually agrees that the rational faculty does *not* perceive that prayers or other acts of worship are inherently beneficial. However, he argues that the rational mind knows that obedience is good and disobedience is bad.[48] Therefore, observing whatever the Lawgiver has enjoined and being obedient to Him equates to good. In other words, Bihbihani says that neglecting prayer is not evil on its own, but it becomes evil once the Lawgiver designates it as a duty.[49] For this reason, only a rational person (*mukallaf*) can be expected to abide by God’s law,[50] whereas insane people are not bound by the law.

Bihbihani also provides a caveat for committing actions that are inherently evil if they serve a good purpose and vice versa. He says that any rational person can sense that killing and lying are evil, but these acts can be forgiven if they are committed to prevent a

[47] Gleave, *Inevitable Doubt*, 205.
[48] Gleave, *Inevitable Doubt*, 206.
[49] Gleave, *Inevitable Doubt*, 207.
[50] Gleave, *Inevitable Doubt*, 208.

greater evil from happening.[51] For example, if someone lies to protect the Prophet, he has committed a sin. However, because this sinner protected the Prophet, God will forgive his transgression. Bihbihani claims that his position is not the "combining of opposites" and likens his position to "someone sitting (still) in a boat and moving at the same time."[52] In other words, it is possible for someone to be in a state of contradiction. Just as it is possible to say that a person in a boat is moving and still at the same time, it is possible to commit a crime and a praiseworthy act at the same time. Bihbihani categorizes this type of moral knowledge as secondary (*idafiyya*), which, he explains, is not inherently moral from a rational point of view, but becomes so through revelation.

Bihbihani explains that primary (*ma'udifu ilayha*) knowledge is produced from 'aql and is apparent without the aid of revelation. In other words, Bihbihani argues that 'aql has the power to produce knowledge independent of revelation,[53] which is rejected by Akhbaris. However, he does agree with Akhbaris that all rulings (*ahkam*) require jurists to refrain from issuing an opinion (*tawqifi*). For cases concerning worship (*'ibadat*), though, Bihbihani argues that they are only tawqifi because revelation has indicated them to be obligatory and he suggests that additional tools (including 'aql, lugha, and 'urf) can be applied to 'ibadat cases to determine the specifics of these duties. Put differently, prayer is obligatory because it is found in revelatory sources and 'aql, language (*lugha*), and custom (*'urf*) can determine how prayer is to be carried out.[54] In all, reason and revelation both aid the mujtahid to understand God's laws as well as the

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[51] Gleave, *Inevitable Doubt*, 211.
[52] Gleave, *Inevitable Doubt*, 212.
[53] Gleave, *Inevitable Doubt*, 215.
[54] Gleave, *Inevitable Doubt*, 216.

intention of God's law. A mujtahid, however, cannot establish a new law that is not found in the texts based on reason alone.

Bihbihani explains that miracles are not part of God's rational framework.[55] However, in a seemingly contradictory statement, he says that one can only distinguish between real and false miracles (and real and false prophets) through the application of reason (*'aql*). Unfortunately, he does not explain how the rational faculty can explain or even understand something that is not rational (i.e. miracles). By definition, a miracle is supernatural and defies reason.

Bihbihani does explain that the texts contain rational indicators (sing. *dalil 'aqli*), which provide an explanation for legal rulings. In fact, he suggests that there is an indicator from the Lawgiver (*dalil shar'i*) for every rational indicator (*dalil 'aqli*). However, the reverse is not true because some textual references are not necessarily rational,[56] which seems to contradict Bihbihani's acceptance of agreement (*mulazama*) of reason and revelation. Bihbihani argues that a ruling (*hukm*) that has both a rational and textual indicator has a higher level of epistemological provenance than a hukm that only has a textual indicator.[57]

### Transference (*ta'diyya*) vs. Analogy (*qiyas*)

Any dynamic legal system must include a method of ruling on cases that have no precedent. For this reason, Sunnis adopted analogy (*qiyas*) as the primary method of using the texts to formulate new rulings. Shi'is have rejected the Sunni conception of

[55] Gleave, *Inevitable Doubt*, 209.
[56] Gleave, *Inevitable Doubt*, 214.
[57] Gleave, *Inevitable Doubt*, 215.

qiyas since the tenth century, partially in order to maintain a distinct legal system.[58] Initially, Shi‘is also rejected ijtihad and akhbar al-ahad in order to differentiate Shi‘i law from Sunni law. Bihbihani continues the tradition of rejecting the Sunni conception of qiyas. He rejects the Sunni form of qiyas because it does not require the determination of a veracious effect cause (*‘illa*).[59] Sunni law generally accepts that the ‘illa is conjectural (*zanni*), whereas Bihbihani, and most Shi‘i scholars, argue that the ‘illa must be certain (*qati‘*). Although Bihbihani accepts conjecture (*zann*) in other circumstances, he rejects it here. He argues that the Sunni form of qiyas is not permitted because it is based on two assumptions:

1. that the key element in the case is the occasioning factor.

2. that the novel case is classified within the same legal rubric as the original case.[60]

In Bihbihani's legal theory, transference (*ta‘diyya*) is the closest element in Shi‘i jurisprudence to the Sunni conception of qiyas. Ta‘diyya is the broad term he uses to explain a number of different situations in which a novel case can be determined on the basis of revelatory texts. Bihbihani outlines ten methods for transference that can be divided into three general categories: those that are derived from reason, language, and consensus.[61] Each of these methods is a way for the jurist to produce general legal principles from specific cases and vice versa. The first five are derived from reason:

1. Reason (*‘aql*): discussed above

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[58] Norman Calder, "Doubt and Prerogative: The Emergence of an Imami Shi‘i Theory of Ijtihad." *Studia Islamica* 70 (1989): 57-78.
[59] Gleave points out that Yusuf al-Bahrani and Vahid Bihbihani agree on this issue. See *Inevitable Doubt*, 130.
[60] Gleave, *Inevitable Doubt*, 130.
[61] These principles have already been listed by Robert Gleave, but he does not divide them into categories as they are here. See Gleave, *Inevitable Doubt*, 131-2.

2. Analogy in which the ‘illa is certain and is identified by reference to two revelatory texts that allow the jurist to determine the ‘illa. (*tanqih al-manat*) [62]

3. From general to specific, bigger to smaller, from the whole to the part, etc. (*al-qiyas bi-tariq al-ula*). Similar to *e maiore ad minus*.

4. From specific to general – opposite of #3

5. Transference of general rules to replacement rules.

The following three are derived from linguistic analysis (*lugha*):

6. A single text which provides the ruling and the reason for the ruling (*al-qiyas al-mansus al-‘illa*). In other words, the text itself provides the ‘illa.

7. A general ruling found in the text that can be transferred from a general norm to a specific case.

8. Two cases in the texts can be joined to form a general ruling (*ittihad tariq al-mas’alatayn*)

The final two conditions of transference can be derived from consensus (*ijma‘*):

9. Consensus (*ijma‘)* that coincides with a similar textual indication of the general rule.

10. A general rule agreed on by all legal scholars, but not found in the texts.[63]

The majority of Bihbihani’s discussion on transferring a textual ruling to another case is tied to language (*lugha*) and custom (*‘urf*). Bihbihani concludes that language and custom are necessary keys to understanding what the Lawgiver has laid down in the texts.[64] He explains that it is impossible to understand the Qur’an, hadith, and ijma‘ without a clear understanding of the language (*lugha*) and custom (*‘urf*) on which the

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[62] Bihbihani, *al-Fawa’id*, 147.
[63] Bihbihani, *al-Fawa’id*, 149.
[64] Bihbihani, *al-Fawa’id*, 97.

Qur'an and hadith are based. Therefore, it is imperative that jurists analyze the meaning of texts and not simply take them literally, which he suspects is the Akhbari method.

Bihbihani cites language and speech as sure sources of understanding the texts, which he bases on two hadith reports: "We did not receive anything from the Prophet of God except through his speech,"[65] and "God, the Almighty, the Most Exalted, addresses [the people] through speech and does not want from them other than [what is known] by their language and what they understand."[66] On the basis of these texts, Bihbihani argues that it is imperative for mujtahids to be proficient in linguistic sciences and suggests that linguistic training is a basic qualification for a scholar to become a mujtahid.

Bihbihani's rational argument in favor of taking lugha and 'urf into account is that prophets and Imams are useless unless their message is understandable to the people. He points out that the role of prophets is to establish religious rules and thereby make life better for people in this world and the hereafter. Because God has chosen the medium of speech as the means by which to disseminate laws and establish norms, the Prophet and Imams must conform to the rules of common language. Therefore, Muhammad and the Imams used terminology, idioms, and grammatical constructions that would maximize understanding of God's intention.[67]

Bihbihani argues that the language of Muhammad and the Imams conformed to the people around them. Bihbihani seems to agree here with scholars such as Abu Zayd Karami, who argues that God takes the level of the comprehension of the people into

[65] Bihbihani, *al-Fawa'id*, 105.
[66] Bihbihani, *al-Fawa'id*, 105.
[67] Bihbihani makes this argument in several places: *al-Rasa'il al-usuliyya*, 29, *Hashiyya majma' al-fa'ida*, 24, *Hashiyya al-wafa*, 205, *al-Fawa'id al-ha'iriyya*, 106.

account.[68] Karami further explains that texts are readily understood by the rational faculty. Significantly, he says that scholars must consider the socio-cultural context in which something was written. In other words, the Lawgiver not only provides people with laws that suit their time and place, He packages them in the language (*lugha*) and custom (*'urf*) that is familiar to them. Similarly, Bihbihani argues that since God has chosen language as the medium in which to deliver His laws to the people, the speech of the Prophet follows idiomatic and grammatical rules of language.[69]

Bihbihani's usage of the terms language and custom clearly refers to that of seventh-century Arabs, whom he calls the *ahl al-lugha wahidan*.[70] In fact, one of the rules that he emphasizes for interpreting hadith reports is paying attention to the meaning of words and phrases at the time of their original issuance. The reasoning follows that since the meaning of words change over time, it is imperative to interpret texts within their original context. As Bihbihani puts it, the difference in hadith reports "is a result of change in terminology from the time of the Lawgiver or a well-known ruling in that time according to the issuance of the hadith."[71] Such a change in language over time can prevent a clear understanding of the text and lead to opposing interpretations. Bihbihani suggests, therefore, that it is imperative to interpret the terminology found in the hadiths in the same way as the *ahl al-lugha* (lit. people of the language, i.e., 7th century Arabs) and the Imams.[72]

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[68] Abu Zayd Tusit Muhammad Taqi Karami, *Majaleye noqd wa nazar*, 412. Karami explains that texts can easily be understood through textual and cultural context and the rational faculty.
[69] Bihbihani, *al-Fawa'id*, 106.
[70] Bihbihani, *al-Fawa'id*, 106.
[71] Bihbihani, *al-Rasa'il al-usuliyya* (Qum, 1416), 474.
[72] Bihbihani, *al-Rasa'il al-usuliyya*, 21.

In Bihbihani's approach, language and custom operate similarly to consensus (*ijma'*). As noted above, Bihbihani argues that ijma' is key to understanding God's laws because it represents how the majority of Muslims understood them when they were handed down from God. Ijma' is the collective interpretation of the Qur'an and hadith according to Muhammad's community. And since God's speech was directed toward their customs and language, they must have understood the divine commands correctly and properly applied them to their lives and their social circumstance. Therefore, it is imperative that jurists today interpret terminology in the texts according to the customary and linguistic context of seventh-century Arabs. Bihbihani warns that "departing from linguistic and customary meaning is never permissible and its violation is absolute."[73] In this case, Bihbihani takes a traditionist stance in the strict sense of the word. He argues for the preservation of the tradition as it was initially established.

Although Bihbihani argues for the necessity of interpreting texts within the context of the time and place of their issuance, he claims that God's commands are general.[74] His conclusion is based on his assumption that God's laws are universal. In other words, the language (Arabic) in which the law is revealed is relative and ever-changing, but the law itself is absolute and universally applicable. The laws brought by Muhammad were not simply meant for the community he established in the Hijaz – although the laws were initially directed toward them. As an example, Bihbihani suggests that "Since there is no dispute on the necessity of prayer, all are subject to its necessity…until the day of judgment."[75] By implication, then, anything that has achieved consensus can never be changed. Even when the Qa'im returns, he will not have the

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[73] Bihbihani, *al-Fawa'id*, 145.
[74] Bihbihani, *al-Fawa'id*, 109.
[75] Bihbihani, *al-Fawa'id*, 154.

authority to alter what has been established by Muhammad's Companions. In this way, Bihbihani's view of what has already been established as part of the tradition is rigid, unchanging, and applicable until the end of days. Change, then, is relegated to issues that are not universally accepted by Muslims. It should be pointed out, though, that there are few universally accepted laws or obligations, such as prayer and fasting. Muslims even differ on the manner in which prayer and fasting are performed.

Bihbihani specifically explains how the universality of divine decrees can be applied in transference (*ta'adiyya*) cases. He argues that specific rulings given to individuals must be applied to everyone. To support this idea, Bihbihani cites the prophetic hadith, which says "my ruling for one is my ruling for all."[76] He even suggests that rulings specifically addressing men can also be applied to women and vice versa, unless the text specifically restricts the injunction to men, women, etc.[77] Therefore, since God's laws (as presented in the Qur'an and hadith) are meant for all people for all eternity, they are to be applied universally – even when they appear to be addressing specific circumstances. As noted above, a ruling must become accepted through the process of on ijma' prior to achieving the status of a universal command.[78]

Bihbihani acknowledges that even if God packages his commands lucidly, scholars often disagree on the meaning of the texts. He points out that some scholars argue that any disagreement on the interpretation of a Qur'anic verse or hadith report is an indicator that the text is ambiguous. Rejecting this analysis, Bihbihani claims that disagreement on a textual verse simply indicates that some scholars have failed to

[76] Bihbihani, *al-Fawa'id*, 155.
[77] Bihbihani, *al-Fawa'id*, 146, 154.
[78] Bihbihani, *al-Fawa'id*, 201.

interpret it correctly.[79] Further, disagreement is likely the result of a misunderstanding of custom and language. In fact, he says that the application, the meaning, and the whole argument of a ruling are tied to language. Therefore, it is necessary for jurists to rely on linguists and the commentary (*tafsir*) of other scholars.[80]

Bihbihani further explains why linguistic misunderstandings occur. He points out that if two people are in the same meeting and hear the same speech, there is a possibility that they will process the information differently, which is the result of varying levels of intelligence.[81] Therefore, it is not difficult for Bihbihani to understand why there are disagreements in interpretation of the texts, especially hadith reports. As explained above, Bihbihani claims that hadith reports have the dual problem of being the interpretation or understanding of the hadith reporter and subject to the reinterpretation of scholars since they have been collected. He explains "the way that [hadith] reporters understood speeches and correspondence was in the same manner as the people of custom (*ahl al-'urf*), not according to the rules of ijtihad and principles [of fiqh] that were established later."[82] Therefore, in order to properly understand the hadiths, it is necessary to interpret them as the narrators did.

Bihbihani admits that the texts are not always readily understood to the (untrained) rational mind. He explains that although the Qur'an and hadith generally follow the rules of speech at the time in which they are handed down by the Lawgiver, they also contain specialized terms which are explained in the text.[83] Further, specialized terms are especially found in commands related to worship (*'ibadat*). He points out that

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[79] Bihbihani, *al-Fawa'id*, 113.
[80] Bihbihani, *al-Fawa'id*, 109.
[81] Bihbihani, *Al-Risa'il al-usuliyya*, 29.
[82] Bihbihani, *al-Risa'il al-fiqhiyya*, 90.
[83] Bihbihani, *al-Fawa'id*, 95-7.

understanding terminology, such as *salah* (prayer), *nada'* (call to prayer), and *zikrullah* (remembrance of God), is not possible through recourse to customary, linguistic, or rational methods. These terms are defined in the text. Because the Lawgiver did not want to simply decree that any type of prayer is lawful, he defined these terms in a specific way.

Textual sources are, therefore, composed of both general and specific terminology. The only way for a jurist to know whether a term is general or specific is to determine whether it has been given a special definition in the text. If the term is specific, the jurist must give it precedence over a general term. Additionally, Bihbihani points out that nothing can be added or taken away from a specific term. In other words, mujtahids should always interpret a specialized term in accordance with its textual definition, unless it is clearly understood through its customary definition (discussed below). Terms defined in the text must be given precedence to what is known according to ijma'. In this case, the Qur'an and Sunna trump consensus. Bihbihani argues that "if a term (*istilah*) does not appear from the Lawgiver, [it should be] interpreted through custom (*'urf*)."[84] Although Bihbihani spills a considerable amount of ink on his conception of general and specific terminology, there is little disagreement between Shi'i scholars on the topic.[85]

On the other hand, texts that contain a contradiction between custom and language are a divisive issue among Shi'i jurists. Bihbihani says that this is one of the "irritants" of interpreting hadith reports. Nonetheless, a jurist must make a decision. Acknowledging that this is a difficult issue even among Usuli scholars, Bihbihani

[84] Bihbihani, *al-Risala al-fiqhiyya*, 104.
[85] See similar explanations in Ruhullah Khomeini, *al-Bi'* (Iran: Wiza□rat al-Thaqa□fah wa-al-Irsha□d, 1987), 381. Said Muhammad Taqi, *al-Usul al-'amma lil-fiq al-maqarin*, 422. Shahid al-Thani, *al-Rawdha al-bahiyya fi sharh al-lam'a al-damashqiyya*, 64.

explicitly states that custom should be preferred over language if they differ. In Bihbihani's words, "the fixed term of the Lawgiver is desirable *unless* it is clearly [understood by] custom (*'urf*)."[86] More specifically, he indicates that the custom of seventh-century Arabs should be taken into account.[87] He explains that some scholars prefer language because it is documentary proof, while others (like himself) prefer custom because it allows inductive reasoning. The author of *Jawahir al-kalam*, Muhammad Hasan al-Najafi, takes a similar position as Bihbihani, whereas 'Allama al-Hilli prefers language,[88] indicating that major figures in the Usuli school disagree on this issue.

In addition to general and specific terms, Bihbihani argues that the texts also contain figurative and literal meanings.[89] Although Bihbihani does not provide a framework for jurists to know which terms should be interpreted figuratively, he suggests that many of the pronouncements of the Lawgiver are non-literal,[90] especially when considering ordinances of worship (*'ibadat*). Bihbihani even argues that the terminology used in 'ibadat commands often *do not* accord with literal meanings.[91] Further, he explains that what is understood from the texts is not always explicit in the text itself.[92] Therefore, additional concerns must be taken into account, such as custom and consensus.

In Bihbihani's mind it is necessary for the jurist to deduce rulings from cases of ritual duty (*'ibadat*) as well as non-ritual duties (*mu'amalat*). If they are divided, he

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[86] Bihbihani, *al-Fawa'id*, 106, italics mine.
[87] Bihbihani, *Masabih al-zalam* (Qum: Mu'assasa, 2003), 14. Bihbihani, *al-Rasa'il al-usuliyya*, 21.
[88] Shaykh Muhammad Hasan Najafi, *Jawahir al-kalam fi Sharh Shara'i' al-Islam*. ed. Abbas al-Quchani. 23 vols. (Tehran: Dar al-Kutub al-Islamiyya, 1972) v. 1, 189, 323.
[89] Bihbihani, *al-Fawa'id*, 107, 114.
[90] Gleave, *Inevitable Doubt*, 164.
[91] Gleave, *Inevitable Doubt*, 168.
[92] Gleave, *Inevitable Doubt*, 164.

argues, Islamic law (*fiqh*) is ruined.[93] Therefore, instead of deciding social duties publicly, Bihbihani favors a system in which mujtahids are consulted for ‘ibadat as well as mu‘amalat cases.[94] As alluded to above, Bihbihani explains that the difference between ruling on ‘ibadat and mu‘amalat cases is that the former often associated with a specific meaning in the mind of the Lawgiver, whereas a mu‘amalat command is readily understandable to any rational person.[95] In other words, ‘ibadat commands require an explanation from the Lawgiver because they cannot be understood by logic (as noted above).

To illustrate this point, Bihbihani gives the example of ablutions (*wudhu’*) that are to be carried out before prayer, which is an ‘ibadat command. He argues that what can be clearly understood from the command “*al-ghasal lil-janaba*” is the expression “to wash” (*ghasal*), but what comes after ghasal is not clear. Therefore, the command is rationally incomprehensible. However, the correct understanding of ablutions was issued by an early judge, who clarified the linguistic meaning of the command. In this way, Bihbihani explains that an unclear ‘ibadat command becomes similar to a mu‘amalat command.[96] This is a particularly significant ruling because all sources of law contribute to the final ruling. The original law is given in the text, but is unclear linguistically and rationally. Therefore, consensus of the original community is considered, which provides customary clarification that can be used at present to determine the proper practice of ablutions.

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[93] Bihbihani, *al-Fawa’id*, 100.
[94] Gleave, *Inevitable Doubt*, 26.
[95] Bihbihani, *al-Fawa’id*, 98.
[96] Bihbihani, *al-Fawa’id*, 98.

## Authority of Mujtahids

In *Fawa'id al-ha'iriyya*, Bihbihani's discussion on the authority of mujtahids centers on the permissibility of jurists to issue legal opinions on the basis of their scholarly opinion or conjecture (*zann*). As with most of the topics he discusses, this is a divisive issue among Akhbaris and Usulis. In addition to interpretation of the texts, it is the most important issue that divides the two schools. Bihbihani says Akhbaris argue that mujtahids claim that zann is sure knowledge (*'ilm*). He then explains that it is actually the opposite, because what Akhbaris call knowledge is in fact conjecture. Further, Akhbaris infer what, in reality, is the opposite of rational proofs.[97] In other words, Bihbihani argues that although Akhbaris claim to base their rulings wholly on textual evidence, they actually make inferences, albeit with flawed methodology. So, their rulings are, in fact, based on sources external to the texts even though they refuse to admit it. And since Akhbaris do not use exegetical methods to interpret the texts properly, their conjecture is less likely to coincide with the Lawgiver's truth than the conjecture of Usulis.

After textual sources and consensus (*ijma'*), Bihbihani bases the authority of Shi'ism on the opinions (*zann*) of mujtahids. He argues that the conjecture (*zann*) of a mujtahid is always a proof (*hujja*),[98] which is essential for determining divine truth. He does concede the possibility that the opinion of a mujtahid might not result in absolute divine truth. However, he claims that zann is necessary in order for Islamic law to function.[99] Similar to his argument in favor of reason (*'aql*), he employs the argument of necessity for zann.

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[97] Bihbihani, *al-Fawa'id*, 127-8.
[98] Bihbihani, *al-Fawa'id*, 276.
[99] Bihbihani, *al-Fawa'id*, 136.

Bihbihani likens the zann of a mujtahid to the proof of two witnesses, which is admissible evidence in a court case, because both are needed to provide definitive evidence. However, like the witness of two people, it is possible that the zann of a mujtahid will not lead to absolute truth. Still, Bihbihani argues that mujtahids who follow the right methods will result in certainty. But, just as it is possible for two witnesses to contribute to the execution of an innocent person, mujtahids can produce laws that are contrary to God's law. Taking his analogy a step further, the texts are similar to forensic evidence, which provide clues to the truth, but often require interpretation.

Bihbihani's acceptance of zann redefines the authority of knowledge (*'ilm*) produced by a mujtahid. Most Muslim scholars equate 'ilm with God's reality. However, Bihbihani equates 'ilm with the opinion (*zann*) of a mujtahid, which may not conform to the reality in the mind of the Lawgiver.[100] Zann is the decision that the mujtahid arrives at with the assistance of the resources available to him (textual evidence, ijma', knowledge of 'urf and lugha, and the power of human reason).

For practical purposes and as far as lay Shi'is are concerned, the zann of the mujtahid is reality. Bihbihani even argues that once the mujtahid takes every piece of evidence into account and makes every effort, God's ruling appears in his decision.[101] Since there is no way to be absolutely sure of what is in the mind of the Lawgiver (other than the texts), the mujtahid is the final arbiter on matters that are not textually explicit, which are few in number according to Bihbihani.

Bihbihani argues that the zann of a mujtahid may not initially reach the state of certainty. As with any ruling, ijma' acts as a check on authoritative judgments. Similar to

[100] Bihbihani, *al-Fawa'id*, 129.
[101] Bihbihani, *al-Fawa'id*, 138.

Qur'anic verses and hadith reports, Bihbihani argues that there is a hierarchy of zann that results from ijtihad. Zann has the potential to become perfect knowledge, but does not always reach such a state. At the lowest level, zann is actually similar to doubt (*shakk*).

In order for zann to reach a higher state, Bihbihani explains that texts must be properly applied to real cases. He gives the example that if urine is impure, then semen, blood, and feces are as well.[102] In this case, the mujtahid must differentiate what is known for both the textual case and the novel case. Additionally, he must know the indicator (*dalil*) that allows him to produce the novel case from the textual case. The text indicates that urine is impure. Since semen, blood, and feces are similar substances, they are impure as well. Bihbihani argues that if a mujtahid produces a novel case when it is not permitted, it is no different from qiyas (which he theoretically rejects) and fiqh is ruined. Therefore, he suggests that if the zann of a mujtahid is not derived properly, it can lead to doubt. He does not call this type of zann doubt (*shakk*) though. He designates the lowest level of zann as dissemination (*shuhra*).[103]

Zann becomes stronger as it increases in consensus (*ijma'*) among mujtahids. Therefore, Bihbihani likens zann to hadith in that the more widespread the zann of a mujtahid is, the more certain it is. In other words, zann that has a high level of agreement carries similar authority to a widespread hadith report (*khabar mutawatir*). As with hadith reports, only opinions that achieve consensus (*ijma'*) reach the state of sure knowledge and have the same status as unambiguous rulings (sing. *hukm*) of God, as found in the Qur'an.

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[102] Bihbihani, *al-Fawa'id*, 291.
[103] Bihbihani, *al-Fawa'id*, 301.

# Conclusion

Bihbihani clings to tradition as embodied in the foundational Shiʻi texts as well as the consensus of Shiʻi scholars. He also sees the necessity of interpreting the texts on the basis of the language and custom of 8$^{th}$ century Arabia. However, he also sees the necessity of establishing new cases. In his mind, any ruling that achieves consensus is part of the Shiʻi tradition and cannot be changed. In practice, he suggests, few rulings have achieved this status. Establishing new judgments is in the hands of mujtahids. They must master linguistic and rational sciences in order to interpret the texts and establish new interpretations. In this way, Bihbihani attempts to strike a balance between tradition and change, text and reason.

In a broad sense, Bihbihani's theoretical approach to the Shiʻi tradition is analogous to the manner in which most rationalists working within a given tradition might operate. He viewed the tradition as a framework or coherent pattern of arguments, practices, etc. This is a more dynamic view of tradition than simply adopting whatever the past seems to dictate. Similar to the way that Americans might approach the Constitution as the "sacred" text on which the American tradition is founded, Bihbihani assumed that any aspect of law that was not clearly outlined in the text was open to interpretation and reinterpretation until it gained universal credence.

Bihbihani's conception of Shiʻi law shows that applying overarching postmodern divisions to the Usuli-Akhbari divide may lead to oversimplification. It may seem convenient to label Akhbaris as fundamentalist conservatives and Usulis as liberal rationalists. Bihbihani criticized Akhbaris for viewing Islamic law in black and white terms and accepting a literal reading of the texts. His Usuli system accepted that

uncertainties must be overcome through reason and textual criticism and that there are shades of the truth, which may suggest that Usulis accepted a pluralistic view of knowledge. However, this division falls short when considering that it was Usulis, not Akhbaris, who issued death warrants on their enemies because of their false interpretations of the texts. Considering this fact outside the context of the Usuli approach to fiqh, one might suggest that Usulis are the fundamentalists, not Akhbaris.

# CHAPTER VI

# EIGHTEENTH CENTURY ISLAMIC REFORMATION

## Introduction

Vahid Bihbihani and his Usuli Shi‘i movement can be categorized as part of a broader eighteenth century Islamic reformation. Since the origins and ascendency of Bihbihani's Usuli school of Shi‘i Islam have been discussed at length in the previous chapters, I will not go into detail about its development here. The following will compare and contrast Bihbihani's Usuli school of thought with the most influential Sunni and Sufi movements of the modern period. Muhammad Ibn ‘Abd al-Wahhab (1703-1792) founded the Sunni Wahhabi movement and Ahmad Ibn Idris al-Fasi (1760-1837) established the movement often simply referred to as neo-Sufism. In the following, I refer to Ibn Idris' school of thought in terms of neo-Sufism as well as the Idrisi movement. I argue that just as Sunnism, Sufism, and Shi‘ism are the most influential trends in Islamic history as a whole, Wahhabi Sunnism, Idrisi Sufism, and Usuli Shi‘ism have proven to be the most powerful Islamic movements in the modern period.

The Usuli, Wahhabi, and Idrisi schools of thought were founded in the wake of the collapse of Safavid Iran and Mughal India and the decentralization of the Ottoman Empire in the eighteenth century, which has been outlined in Chapter I. The three Islamic movements under consideration eventually provided the legitimacy for new states in Iran (Usulis), Saudi Arabia (Wahhabis), and Libya (Idrisis). In the nineteenth century, leaders

of these movements often led resistance efforts against European colonialism. Since the 1970s, when secularism began to collapse in the Middle East and North Africa, the three movements have resurfaced in a major way, providing inspiration and leadership for political and terrorist Islamic trends. Most notably, the Usuli successors of Bihbihani staged the 1979 revolution in Iran and currently rule its theocratic government. Additionally, most Islamic terrorist networks, including al-Qa'ida, draw heavily on the thought of Ibn 'Abd al-Wahhab.

My hope is that a comparative approach to the Usuli, Idrisi, and Wahhabi movements will lead to a more dynamic understanding of the foundation that was laid in the eighteenth century for the most significant trends in modern Islam. I argue that Bihbihani, Ibn 'Abd al-Wahhab, and Ibn Idris are the founding fathers of modern Islam. These three scholar-activists established the most successful, enduring Islamic movements in the aftermath of the first major crisis in Islamic civilization during the modern period. This crisis was the fragmentation and collapse of the Islamic gunpowder empires mentioned above. This chapter will compare and contrast Bihbihani, Ibn 'Abd al-Wahhab, and Ibn Idris as well as the movements they incepted. In order to do so, I will introduce Ibn 'Abd al-Wahhab and Ibn Idris, followed by sections on the political influence of the three reformers and their approach to knowledge and authority. Further, I will discuss the manner in which the reformers dealt with their opponents, followed by a summary of their primary concerns. First, though, a word on the debate over how unified the early modern Islamic reformation really was.

Even though most historians agree that at least general similarities can be perceived among early modern Islamic reformers, they disagree on how analogous they

are. Ahmad Dallal rejects the notion (established by scholars such as Fazlur Rahman, John Esposito, Rudolph Peters, and John Voll) that there is any semblance of continuity within Islamic "fundamentalist" movements.[1] In his own words, Dallal attempts to debunk the theory that "the intellectual models produced by these scholars [i.e. eighteenth century reformers] are quite distinct and cannot be grouped under one rubric."[2] Although Dallal's position is a bit overly deconstructionist, it serves as a welcome counterweight to over-generalizations since it is too simplistic to suggest that all early modern reformers belong to the same movement. Reformers were reviving different Islamic traditions and within each tradition diversity of thought was prevalent.

It is also simplistic to suggest that eighteenth century reformers had nothing in common – even those that had no contact with one another. Therefore, Voll's attempt to show that early modern reformers were connected in what he calls an "intellectual family tree" is an important contribution, even though Dallal wholly rejects this concept.[3] The most common way that knowledge is transferred among Muslim scholars is from teacher to student. Certainly, it would be overly determinist to suggest that a scholar's intellectual pedigree is the only factor that influences his views. Illustrating this point, Voll points out that Shah Wali Allah (1703-1762) and Ibn 'Abd al-Wahhab studied under the same hadith scholar (Muhammad Hayat al-Sindi), but produced sharply different conclusions. However, cases like this are the exception, not the rule. Generally, similarities can be perceived between teachers and their students.

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[1] Ahmad Dallal, "The Origins and Objectives of Islamic Revivalist Thought, 1750-1850." *Journal of the American Oriental Society*, vol. 113, No. 3 (1993): 341.
[2] Dallal, "Origins," 341.
[3] See John Voll, "Muhammad Hayya al-Sindi and Muhammad ibn 'Abd al-Wahhab: An Analysis on an Intellectual Group in Eighteenth-Century Madina." *Bulletin of the School of Oriental and African Studies,* University of London, vol. 38, No. 1 (1975): 32-39.

Early modern reformers operated under similar circumstances and were responding to a similar set of questions. But, this does not mean that they reacted in the same manner. Voll suggests that "the difference among fundamentalist movements is primarily a difference in leadership styles or in local contexts."[4] Even more than "local contexts," it was the distinct tradition in which the reformers were operating that accounts for the primary difference between each movement. In other words, the critical differences between the Usuli, Wahhabi, and Idrisi movements is the result of Bihbihani's Usuli-Shiʿi-Iraqi context, Ibn ʿAbd al-Wahhab's Hanbali-Sunni-Arabian Peninsula context, and Ibn Idris's Sufi-Arabian Peninsula-North African context.

The eighteenth century Islamic revival was not a unified movement. The school of thought (Shadhili Sufism, Hanbali Sunnism, and Usuli Shiʿism) of each reformer informed their outlook much more than did their contemporaries. Therefore, influence on the reformers was more vertical (i.e., historically within a school of thought) than it was horizontal (i.e., contemporaries outside a school of thought). In other words, Ibn ʿAbd al-Wahhab's thought echoes his predecessors within the Hanbali tradition (especially Ibn Taymiyya) more than it reflects the ideas of his contemporaries (Bihbihani, Ibn Idris, etc.).

The traditions that Ibn ʿAbd al-Wahhab, Ibn Idris, and Bihbihani revived had already been established prior to their time. Ibn Idris revived the Shadhili Sufi brotherhood, established in the thirteenth century. The rationalist trend that Bihbihani revived had been a current within Shiʿi thought at least since the twelfth century. And Ibn ʿAbd al-Wahhab revived the Hanbali school, which was founded in the ninth century.

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[4] John Voll, "The Sudanese Mahdi: Frontier Fundamentalist." *International Journal of Middle East Studies*, Vol. 10, No. 2 (May, 1979): 159.

The difference here between Bihbihani and Ibn Idris on one hand and Ibn ‘Abd al-Wahhab on the other is that Bihbihani and Ibn Idris revived mainstream trends within the Islamic tradition, whereas Ibn ‘Abd al-Wahhab revived a current that were less mainstream – even within the Hanbali school.

## Ibn ‘Abd al-Wahhab and the Wahhabi Movement

Ibn ‘Abd al-Wahhab was raised in the Arabian Peninsula and received formal training in the Hanbali school (*madhhab*) of Sunni Islam. His own thought was based on more puritanical scholars within the Hanbali tradition, especially the controversial figure of Ibn Taymiyya (1263-1358).[5] Similar to Bihbihani and Ibn Idris, Ibn ‘Abd al-Wahhab grew up in a prestigious family of Muslim jurists. His father, ‘Abd al-Wahhab Ibn Sulayman, was the judge (*qadi*) and leading Hanbali legal scholar in Uyayna (located 30 km northwest of the present-day Saudi capital of Riyadh), where Ibn ‘Abd al-Wahhab was born. Ibn ‘Abd al-Wahhab’s brother and uncles were also prominent legal scholars.

Also similar to Bihbihani and Ibn Idris, Ibn ‘Abd al-Wahhab is remembered by his successors as a charismatic figure inspired by God to revive Islam. As outlined in chapter IV, Shi‘i hagiographers present Bihbihani as a charismatic leader, who derived divine inspiration (*kashf*) from the Shi‘i Imams. The chronicler of the Wahhabi movement and hagiographer of Ibn ‘Abd al-Wahhab, Ibn Bishr, also depicts Ibn ‘Abd al-Wahhab in a savior mold. Ibn Bishr says “God Almighty expanded his breast for him, enabling him to understand those incongruous matters that led men astray from His

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[5] George Makdisi has argued that Ibn Taymiyya and the Hanbali school stand “outside the mainstream of Muslim thought.” See “Ibn Taymiya: A Sufi of the Qadiriya Order.” *American Journal of Arabic Studies*, I (1973): 119.

path."[6] Similar to Bihbihani, Ibn ʻAbd al-Wahhab's successors also cite him as the reviver (*mujaddid*) of Islam for the eighteenth century. Ibn Idris, however, rejected the notion that Ibn ʻAbd al-Wahhab occupied such a position. In fact, Ibn Idris discounts the whole tradition of a recurring mujaddid, explaining that this notion detracts from the uniqueness of the Prophet Muhammad and contributes to disunity among Muslims.[7]

In recent studies on Islam, Ibn ʻAbd al-Wahhab is often cited as the eighteenth century fundamentalist reformer par excellence. He has become emblematic of the early-modern Islamic revival as a whole and is often cited in Western scholarship as the father of current-day fundamentalist and terrorist movements. As Khalid Abu El Fadl puts it, "every single Islamic group that has achieved a degree of international infamy, such as the Taliban and al-Qa'ida, has been heavily influenced by Wahhabi thought."[8]

Although references to Ibn ʻAbd al-Wahhab and his Wahhabi movement abound, the only monograph that has been dedicated to him in English is an unabashed apologetic defense of all things Wahhabi.[9] The book's author, Natana Delong-Bas, seeks to counter what she considers wrongful associations of Wahhabism with "xenophobia, militantism, misogyny, extremism, and literalism."[10] Instead, she paints a picture of Ibn ʻAbd al-Wahhab as a scholar interested in "the maximum preservation of human life even in the midst of jihad as holy war, tolerance for other religions, and support for a balance of

[6] Quoted in Hamid Algar, *Wahhabism: A Critical Essay* (Oneonta: Islamic Publication International, 2002), 6.
[7] O'Fahey, *Enigmatic Saint*, 21, 105.
[8] Khalid Abu El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (New York: HarperCollins, 2007).
[9] Natana J. Delong-Bas, *Wahhabi Islam: From Revival and Reform to Global Jihad* (New York: Oxford University Press, 2004). That a portion of the funding for this book came from the King Abd al-Aziz Foundation for Research and Archives may indicate why Delong-Bas takes a pro-Wahhabi slant. See the preface of her book for details.
[10] Ibid., 5.

rights between men and women."[11] In this way, Delong-Bas suggests that contemporary militant extremists, such as Osama bin Laden, hardly represent Ibn ʻAbd al-Wahhab's "moderate, sophisticated, and nuanced interpretation of Islam that emphasizes limitations on violence, killing, and destruction and calls for dialogue and debate as the appropriate means of proselytization and statecraft."[12] Needless to say, Ibn ʻAbd al-Wahhab is a controversial figure.

## Ibn Idris and Neo-Sufism

Ahmad Ibn Idris was initially from Morocco and his thought was largely influenced by the Shadhili Sufi tradition. Preference for the Shadhili tradition continued among his disciples as well. Bernd Radtke notes that Ibn Idris' most notable student, Muhammad b. ʻAli al-Sanusi (1787-1859), also preferred to follow the Shadhili tradition,[13] even though al-Sanusi established his own Sufi order. Each of Ibn Idris' Sufi masters was from the Shadhili tradition[14] and Ibn Idris himself gives a detailed description of his own Shadhili pedigree, which traces him back to many key Shadhili figures. Ibn Idris' scant record of writings, save for his collections of prayers and litanies, is a common trait among Shadhili masters.[15] Ibn Idris' modern biographer, Hasan Makki, describes his thought as a continuation of the ideas of Hasan al-Shadhili, the thirteenth-century founder of the Shadhili brotherhood.[16] Specifically, Makki explains that Ibn Idris

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[11] Ibid.
[12] Ibid.
[13] See for example Bernd Radtke, "Sufism in the 18th Century: An Attempt at a Provisional Appraisal," *Die Welt Des Islams*, New Series, Vol. 36, Issue 3 (Nov., 1996), 326-364.
[14] O'Fahey, *Enigmatic Saint*, 38.
[15] For additional trends within the Shadhili tradition see Lory, P. "S□H□ād□h□iliyya." *Encyclopaedia of Islam, Second Edition*. online version, Eds. P. Bearman, et. al, 2010.
[16] Hasan Makki, *al-Sayyid Ahmad ibn Idris al-Fasi* (Khartoum: al-Markaz al-Islami al-Ifriqi bi al-Khartoum, 1986).

promoted the unification of rationalism with the illuminationist philosophy (initially developed by scholars such as Abu Hamid al-Ghazali (1058-1111)).[17]

Although Ibn Idris clearly operated within the Shadhili tradition, he was not completely bound to it. Most Sufis (including Shadhili scholars) living between the mid-eleventh and the mid-eighteenth centuries supported the notion of antinomianism. In other words, Ibn Idris' predecessors believed they were not bound to Islamic law due to their mystical union with the divine. Conversely, Ibn Idris called for complete submission to the letter and spirit of Islamic law (*shari'a*) and generally gave little attention to miraculous phenomena (*karamat*). Acceptance of Islamic law has become a definitive element of neo-Sufism.

Aside from his Sufi bent, the salient features of Ibn Idris' biography are strikingly similar to that of Bihbihani and Ibn 'Abd al-Wahhab. Ibn Idris' successors produced hagiographical accounts of him, which describe him in laudatory terms, such as the "axis of the age" (*qutb al-zaman*). Although Ibn Idris rejected the notion that a Muslim reviver (*mujaddid*) appears once every century, his successors in Sudan describe him as the reviver of the eighteenth century.[18] Like Bihbihani, Ibn Idris moved from his hometown to a religious center of learning. Ibn Idris was initially educated as a jurist in Fez, after which he traveled to Egypt, where he is reported to have taught at al-Azhar University in Cairo. He then went to Mecca and Medina and returned to Egypt a number of times. He was in Mecca during the Egyptian occupation of 1813-1814.[19]

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[17] Makki's assessment is based on the Enlightenment definition of rationality, which equates rationality with nature and illuminism with the supernatural. Since Ibn Idris rejected such a division between the natural and supernatural, it seems more correct to suggest that Ibn Idris embraced the notion that rationality includes both the natural universe and the divine.
[18] Ibid., 21.
[19] Ibid., 54.

Unlike Bihbihani, who overthrew the Shi‘i clerical establishment in Karbala, Ibn Idris claims that he was expelled from Mecca by the most prominent clerics.[20] In 1827 Ibn Idris left Mecca for the last time and after travelling for a few years he spent the last years of his life in Sabya (currently in southern Saudi Arabia). Presumably he was exiled from Mecca as a result of his uneasy relationship with the clerical establishment there and the governor of Mecca (Ghalib Ibn Musa‘id). Interestingly, Sabya was a Wahhabi outpost when Ibn Idris moved there, which seems to be the very reason he chose to move there and not somewhere else.[21] This means that once Ibn Idris was not able to get along well in the centers of Islamic learning (either in Cairo or Mecca and Medina), he sought protection from Wahhabis. However, Ibn Idris also provoked the opposition of Wahhabis in Sabya. Therefore, the alliance between Idrisis and Wahhabis seems to have been created out of convenience, but was uneasy to be sure.

Part of the reason that scholars may think that all roads of the early modern Islamic revival lead back to the Wahhabi movement is because many clerics had scholarly links to Wahhabis. It would certainly be easy to mistakenly suggest that Ibn Idris was closely linked to Wahhabi movement. Although Ibn Idris and Ibn ‘Abd al-Wahhab had contact with each other, their approach to Islam was vastly different. Ibn Idris argues that the intentions of Ibn ‘Abd al-Wahhab were genuine, but his approach was wrong. After having a falling out with Wahhabis, Ibn Idris denounces them as “miserable wretches who are bound inflexibly to the externality of the Law. They know the details of knowledge and use them to accuse of heresy those who oppose them.”[22]

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[20] Einar Thomassen & Bernd Radtke, eds. *The Letters of Ahmad Ibn Idris* (Evanston: Northwestern University Press, 1993) 168-9.
[21] See discussion in Radtke, *Exoteric*, 27-8.
[22] Quoted in O’Fahey, *Enigmatic Saint*, 74.

The only major ideological similarity between Ibn Idris and Ibn ‘Abd al-Wahhab was a shared sense of anti-madhhabism, meaning that they rejected the division of Sunni Islam into legal schools of thought.[23]

Many scholars consider Ibn Idris as the founder of neo-Sufism. The nineteenth-century scholar, Le Chatelier, suggests that Ibn Idris and his successors make up the most powerful school in modern Islam.[24] Although Le Chatelier’s assertion is debatable, Ibn Idris was the key figure at the head of the modern Sufi revival, often referred to as neo-Sufism. Fazlur Rahman, who coined the term neo-Sufism, describes it as “Sufism reformed on orthodox lines and interpreted in an activist sense.”[25] Rahman directly associates the rise of neo-Sufism with Ibn Idris, pointing out that the Idrisi movement referred to itself as the “Brotherhood of Muhammad” (*Tariqa Muhammadiyya*). Valerie Hoffman points out that although *Tariqa Muhammadiyya* is a term associated with neo-Sufism, the idea of a practice associated with mystic annihilation (*fana’*) in the Prophet was developed prior to the eighteenth century.[26]

Elaborating on Rahman’s explanation of neo-Sufism, John Voll explains it as the rejection of Ibn al-‘Arabi’s (1164-1240) alleged pantheistic conception of God in favor of emphasizing God’s transcendence. The goal of the Sufi, then, was no longer defined by striving for absorption into the absolute being that is God. Instead, neo-Sufis endeavor to be in harmony with the Prophet. Organizationally, Voll further suggests that Sufi brotherhoods provided a framework for movements that emphasized purification and

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[23] Radtke, *Exoteric*, 28.
[24] A. Le Chatelier, *Les Conferies Musulmanes du Hedjaz* (Paris, 1887), 97.
[25] Fazlur Rahman, *Islam* (Chicago: University of Chicago Press, 2002), 206.
[26] Valerie J. Hoffman, “Annihilation in the Messenger of God: The Development of a Sufi Practice.” *International Journal of Middle East Studies*, Vol. 31, No. 3 (Aug., 1999): 351-369.

adherence to rigorous, literal interpretations of the Qur'an and Sunna.[27] O'Fahey, defines neo-Sufism squarely in terms of the brotherhood. He argues that it is "a new organizational phenomenon that appeared in certain areas of the Muslim world in the eighteenth and nineteenth century."[28] Without much explanation Stephan Reichmuth suggests that the "notion neo-Sufism has been more or less discarded."[29]

Neo-Sufism is certainly not precisely defined. Notwithstanding, it is the most descriptive term explaining the development of Sufism advocated by Ibn Idris. Regardless of the terminology used to describe it, Sufism did undergo several changes in the eighteenth century, which is exemplified by Ibn Idris himself. He and other neo-Sufis completely rejected the legitimacy of Islamic legal schools (*madhahib*), while accepting the necessity of living in complete accordance with Islamic law. Further, Ibn Idris placed a renewed emphasis on a mysticism oriented toward the Prophet Muhammad (thus *tariqa Muhammadiyya*).

## Political Influence of the Reformers

Each of the movements under consideration (Usulism, Wahhabism, and neo-Sufism) played a critical role in the establishment of new kingdoms or dynasties in the Islamic world. Wahhabis contributed to the nascent kingdom of Saudi Arabia, Ibn Idris' Sanusiyya successors founded modern Libya, and Usulis played a critical role in the establishment of the Qajar dynasty in Iran and took control of the state after the 1979 revolution in Iran. The clerics at the head of each movement legitimized the authority of those that took the reins of political control in each of these states. In the case of Saudi

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[27] Voll, *Islam,* 27-29.
[28] O'Fahey, *Enigmatic Saint,* 4.
[29] Stefan Reichmuth, "Arabic Literature and Islamic Scholars in the 17th /18th Centuries: Topics and Biographies: Introduction," *Die Welt des Islams*, New Series, Vol. 42, Issue 3 (2002): 285.

Arabia and Libya, Wahhabis and Idrisis were directly involved in the establishment of new kingdoms. Although Usulis were not initially collaborators in the establishment of Qajar Persia, they were heavily courted by the Qajars to legitimize their rule. As a result, Usuli clerics ran the Qajar legal and educational systems throughout Iran. They also became the largest single block of landowners by the twentieth century and seized control of the state in 1979. Since I have discussed the Usuli relationship with the Qajars at length in Chapter III, the following will focus on the political influence of Ibn ‘Abd al-Wahhab and Ibn Idris. However, I will continue to draw parallels between the three.

Prior to allying himself with the Saudi clan, Ibn ‘Abd al-Wahhab entered an alliance with Uthman ibn Hamid ibn Mu’ammar, who controlled the city of Uyayna (Ibn ‘Abd al-Wahhab’s hometown). Ibn ‘Abd al-Wahhab returned to Uyayna after escaping an assassination attempt in nearby Huraymila, where he apparently angered some townspeople for insisting that people must abstain from sexual immorality.[30] As part of the alliance, Mua’mmar offered his aunt to Ibn ‘Abd al-Wahhab, whom he accepted as his wife. This alliance is strikingly similar to Bihbihani’s experience in his hometown of Bihbihan, where he allied himself with the city’s most powerful political leader. Like Ibn ‘Abd al-Wahhab, Bihbihani even married the politician’s daughter. These two cases highlight the fact that marriage alliances between political and religious officials were common in much of the eighteenth century Middle East.

Whereas Bihbihani’s political alliances were confined to local officials, Ibn ‘Abd al-Wahhab entered an alliance with Muhammad Ibn Saud (d. 1765) which led to the establishment of Saudi Arabia. Ibn ‘Abd al-Wahhab and Ibn Saud established this alliance in 1744 and decided that Ibn Saud would assume political and military

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[30] Delong-Bas, *Wahhabi Islam,* 23.

responsibilities and promote Ibn ‘Abd al-Wahhab’s religious teachings.[31] The alliance between the Saudi clan and Wahhabi ideology has continued to the present day. In the past several decades Wahhabism has spread throughout much of the world through Saudi patronage, which has been made possible as a result of its immense oil revenues.[32]

Ibn Idris seems to have been less interested in influencing politics than Ibn ‘Abd al-Wahhab and Bihbihani. There is no evidence that he sustained any long-term or systematic political alliance. This seems to have been a result of his primary interest in spreading Islam through missionary activity (*da’wa*). The Sufi networks established by Ibn Idris and his successors, however, were eventually exploited by politicians. European colonists, Turks, and Wahhabis often courted Ibn Idris’ successors in attempts to utilize their network of followers for political gains.

Therefore, the successors of Ibn Idris were in a position to become politically active. Although O’Fahey argues that Ibn Idris’ descendants rarely used their high social status for political ends,[33] some of them did. One of Ibn Idris’ successors, Muhammad al-Idrisi (1876-1923), established a local dynasty in Southern Arabia. He led a revolt in ‘Asir in 1905 and successfully established a state that survived until 1933 when it was incorporated into Saudi Arabia.

The most successful political enterprise to result from the foundations laid by Ibn Idris was carried out in Libya. After the death of Ibn Idris, his primary successor, Muhammad b. ‘Ali al-Sanusi (mentioned above) journeyed across Africa for missionary purposes. He established his Sanusiyya Sufi order in the Jabal Akhdar region of eastern Libya and paved the way for a line of successors, starting with Muhammad al-Mahdi al-

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[31] Ibid., 34-5.
[32] On the Saudi exportation of Wahhabism, see Abou El Fadl, *The Great Theft*.
[33] O’Fahey, *Enigmatic Saint*, 7.

Sanusi (d. 1902), to establish political power in North Africa. The grandson of Muhammad b. ‘Ali al-Sanusi (Muhammad Idris al-Sanusi (1890-1983)), was crowned king in 1951 when Libya gained independence.

A major difference between Ibn ‘Abd al-Wahhab and Bihbihani on one hand and Ibn Idris on the other is that the former sought out and maintained political alliances. Similar to Ibn Idris’ successors, Bihbihani’s successors did not initially become involved in politics. Many of Bihbihani’s immediate successors adhered to a culture of pious aloofness from worldly affairs. However, in the late nineteenth century, Usulis became a force of opposition to the political establishment in Iran. The Usuli and Idrisi movements remained independent of state control, which allowed the leaders of both movements to vacillate between acceptance and rejection of the state. In the twentieth century, Idrisis and Usulis took control of the state in Libya and Iran respectively, which Wahhabis have not accomplished.

## Knowledge and Authority

Although the movements of Bihbihani, Ibn Idris, and Ibn ‘Abd al-Wahhab were established under similar circumstances and have played a significant role in influencing the political landscape of the Middle East and North Africa, each of these scholars differ widely in their intellectual interpretation of Islam. The only major unifying factor in their theoretical approach to knowledge and authority was that they saw the need to challenge medieval interpretations of Islam. In other words, they rejected the necessity of clinging to long-established precedents. In this way, each scholar endeavored to carve out a greater position for their clerical network. By responding directly to eighteenth century concerns, they were able to attract a significant amount of political, financial, and social

support. In order to illustrate the scholarly differences between Ibn ‘Abd al-Wahhab, Ibn Idris, and Bihbihani, this section will contrast their individual approaches to knowledge and authority.

For Ibn Idris, post-Prophetic authority rests with Sufi masters (sing. *shaykh*, *pir*), who are capable of receiving divine revelations. In other words, Ibn Idris believed that Sufi shaykhs, including himself, possessed the power of attaining inner knowledge (*batin*) by communicating with God or the Prophet Muhammad, which often take on the form of dreams or visions. Ibn Idris further argued that only those who possess the proper fear (*taqwa*) of God are capable of attaining perfect knowledge. Therefore, according to Ibn Idris’ worldview, he was worthy of the authority attributed to him by his followers because he was a recipient of divine inspiration. Ibn Idris’ notion of authority reinforced the Sufi tradition in which a Sufi novice places every aspect of his life in the hands of his Sufi master. In contrast, Ibn Idris rejected the legalistic authority assumed by scholars associated with Islamic legal schools (sing. *madhhab*). Instead of experts in Islamic law, Ibn Idris accepted Sufi shaykhs as intermediaries between lay Muslims and God. Comparatively, Bihbihani argued that legal experts (*mujtahids*) who were capable of deducing new rulings from the foundational texts (i.e. Qur’an and Sunna) with the aid of reason possessed supreme authority after Muhammad and his rightful successors (the twelve Imams).

No different than the overwhelming majority of Muslims, including Ibn ‘Abd al-Wahhab and Bihbihani, Ibn Idris’ system of deriving knowledge was primarily based on what could be gleaned from the Qur’an and Sunna of the Prophet. In his *Risalat al-radd*, Ibn Idris explains that all of God’s ordinances for mankind are provided through

revelation. In other words, all legal rulings are contained in the Qur'an and Sunna.[34] In fact, God and the Prophet are the only sources of true knowledge. Similarly, he suggests that Muhammad is the only source of authority, explaining that "I took my way (*tariqa*) from the Messenger of God…without any intermediary; thus my way is the Muhammadiyya Ahmadiyya; its beginning and end is from the Muhammadan light."[35] Ibn Idris further states that religious scholars are often unable to derive correct legal judgments from the foundational texts.[36] This is not because they are uneducated in the methodology of Islamic law or have misinterpreted the texts. According to Ibn Idris, it is because they lack the proper fear of God (*taqwa*). In fact, he argues that fear of God (not ra'y, qiyas, ijtihad, or other principles of Islamic law) is the key ingredient needed to derive knowledge. Ibn Idris even goes so far to say that an individual judgment (*ra'y*) is equal to a legal ruling from Satan. This line of argument is what makes Ibn Idris' approach unique and separates him from Bihbihani and Ibn 'Abd al-Wahhab.

The question, then, is: how does one use the fear of God to extract absolute knowledge from the Qur'an and Sunna? Ibn Idris simply explains that God endows a person who possesses the proper fear of God with intuitive knowledge (*furqan*).[37] Therefore, he stands in no need of grasping the rational sciences, Islamic legal theory, etc. God simply allows Muslims (or at least Sufi shaykhs) to see the correct legal interpretation in the foundational texts as a reward for fearing Him. Ibn Idris, then, advocates that the texts contain an inner knowledge (*batin*) that is only accessible to those

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[34] Ahmad Ibn Idris al-Fasi, *Risalat al-Radd 'ala ahl al-ra'y*, #3.
[35] Quoted in Rex S. O'Fahey and Ali Salih Karrar, "The Enigmatic Imam: The Influence of Ahmad Ibn Idris," *International Journal of Middle East Studies*, Vol. 19, No. 2 (May, 1987): 209.
[36] Ibn Idris, *Radd*, #5.
[37] Ibid., #14.

who have achieved the proper fear of God. For this reason, the exegetical tools of legal experts are unnecessary.

Ibn Idris' reliance on intuitive knowledge and the fear of God clearly sets him apart from both Ibn ʻAbd al-Wahhab and Bihbihani. As discussed in chapter II and IV, Bihbihani's successors attributed intuitive knowledge to him, but Usulis never accepted it as a method of gaining sure knowledge that could be relied on by Muslim laymen. Therefore, claims to intuitive knowledge are a commonality in the authority of Bihbihani and Ibn Idris, but not their methodology of deriving knowledge. As suggested in Chapter IV, the derivation of knowledge intuitively is the issue that separated Shaykhis from the rest of the Shiʻi community. In other words, Shaykhis are closer to Ibn Idris on the use of intuitive knowledge than legalistic-minded Shiʻis. There is no record that Ibn ʻAbd al-Wahhab claimed to have received intuitive visions. Given that he completely rejected the existence of inner knowledge (*batin*), he would have also denied the ability of Sufi shaykhs (or any Muslim) to access knowledge intuitively.

Ibn Idris accepted four sources of knowledge and authority: the Qur'an, Sunna, reports of the Prophet's companions, and intuitive knowledge. He rejected all other sources associated with Islamic legal theory, including consensus (*ijma'*) of the Muslim community and analogy (*qiyas*). He also argues that the reports of the Prophet's Companions are a source of knowledge.[38] Probably an attempt to maximize authoritative material, Ibn Idris does not specify that Companions had to agree on what they were reporting. In addition to these four sources of knowledge, Ibn Idris suggests that there are three types of knowledge: legalistic knowledge (*ʻilm al-shariʻa*), specialized knowledge (*ʻilm al-khawass*), and specialized special knowledge (*ʻilm khawass al-khawass*).

[38] Ibid., #16.

According to Ibn Idris, only legalistic knowledge is accessible to everyone. The second and third are secret (*batin*) and not accessible to lay Muslims. Only adept Sufis, such as Ibn Idris himself (who possess the proper fear of God) have access to inner, specialized knowledge and the authority to dispense it.

Ibn Idris' approach to establishing an independent legal judgment (*ijtihad*) is a bit ambiguous. O'Fahey argues that he defined ijtihad narrowly[39] and that it is "not a matter within the capacity of everyone."[40] In all, ijtihad does not appear to have been central to Ibn Idris' approach of attaining knowledge. This is especially clear considering the fact that Ibn Idris forcefully rejected the use of rational methods (i.e. non-traditional methods, including personal judgments, theology, and philosophy) of deriving legal judgments. He even says that one should only engage in the rational sciences when absolutely necessary.[41] Ibn Idris not only rejected the use of personal judgments (sing. *ra'y*), he was hostile to those who accepted ra'y and praises those who rejected it. He says that Muslims should not converse with anyone who does not reject ra'y.[42]

Therefore, Ibn Idris felt compelled to reject the entire tradition of legal schools. He argues that the schools of Islamic law only rest on a tradition of books.[43] He explains that the founders of the schools have no more authority than any other Muslim and that they would disapprove of the historical development of the legal schools that have been established in their name.[44] Emphasizing egalitarianism, Ibn Idris suggests that all Muslims have the ability to study the Qur'an and Sunna and derive legal judgments for

[39] O'Fahey, *Enigmatic Saint*, 26.
[40] Ahmad Ibn Idris, *Al-'Iqd al-nafs fi nazm jawahir al-tadris Sayyid Ahmad ibn Idris* (Cairo: Mustafa al-Babi al-Halabi, 1979), 20.
[41] See discussion in Radtke, "Sufism," 14.
[42] Ibn Idris, *Radd*, 26.
[43] Hasan 'Akish, *Munazarat Ahmad ibn Idris ma 'a fuqaha 'Asir*. Ed., 'Abd Allah Abu Dahish (1986), 348. Ibn Idris, *Radd*, 6.
[44] 'Akish, *Munazarat*, 348.

themselves.[45] As noted above, though, this only applies to legalistic knowledge – not specialized knowledge.

For Ibn ‘Abd al-Wahhab, the only infallible, authoritative sources of knowledge are the Qur’an and Sunna of the Prophet. He rejects the notion that there are any other independent sources of knowledge or authority, such as reason (*‘aql*) or consensus (*ijma‘*), which are also accepted by Usulis. Instead, he accepts these additional “sources” as exegetical tools. As noted above, unlike Ibn Idris, Ibn ‘Abd al-Wahhab firmly rejects the notion that the Qur’an or Sunna contain any sort of secret or hidden knowledge (*batin*). In his mind, any division of knowledge in the Qur’an runs counter to its very purpose, which is to call people equally to believe in absolute monotheism (*tawhid*). For this reason, he is convinced that the Qur’an is understandable to every Muslim, which is why it is a duty for all Muslims to read it for themselves – a view supported by Ibn Idris, but not Bihbihani.

Ibn ‘Abd al-Wahhab generally follows the methodology developed by the Hanbali legal school (*maddhab*) in his approach to Islamic law. After the Qur’an and Sunna, most Hanbali jurists, including Ibn ‘Abd al-Wahhab, accept the consensus and individual judgments of the Prophet’s Companions as long as they are not contradictory to the first two sources. Like most Hanbalis, Ibn ‘Abd al-Wahhab accepted deductive analogy (*qiyas*) as an interpretive tool, only to be used in rare cases. The same applies for his usage of consensus (*ijma‘*). He explains that consensus can only be used as an exegetical tool and must result in the general agreement with the Qur’an and Sunna.[46] In practice, he almost never appeals to the consensus of legal scholars because in his absolutist mind,

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[45] Radtke, “Sufism,” 14,

[46] Muhammad Ibn ‘Abd al-Wahhab, “Kitab al-nikah,” in *Mu’allafat al-Shaykh al-Imam Muhammad Ibn ‘Abd al-Wahhab*, vol. 2(Riyadh: Jami‘at al-Imam Muhammad bin Saud al-Islamiyya, 1298), 670.

"real" consensus requires all legal scholars to agree, not just scholars of a single school of thought. Ironically, Ibn 'Abd al-Wahhab employs consensus in his rejection of the notion that the Qur'an contains hidden knowledge (*batin*), which, indicates that the opinions of Shi'is and Sufis are clearly not necessary for establishing consensus.[47]

Ibn 'Abd al-Wahhab's views on additional legal devices are as follows. He supports the use of taking public interest (*maslaha*) into account when issuing judgments because he views the Qur'an as a source of guidance for the benefit of mankind. He generally does not accept the idea that one Qur'anic verse can be superseded by another verse (*naskh*) because he rejects the idea that the Qur'an contains contradictory verses.[48] Additionally, Ibn 'Abd al-Wahhab argues that one jurist cannot emulate (*taqlid*) the judgments of another jurist, but must carry out his own independent judgments (*ijtihad*). He even argues that taqlid is a form of idolatry (*shirk*) because it gives jurists the God-like power of infallibility.[49]

It is on ijtihad, then, that post-Prophetic knowledge and authority rest for Ibn 'Abd al-Wahhab. In this sense he is similar to Bihbihani. He even upholds the theological necessity of the continuous practice of ijtihad because it is the only way that absolute truth can be established. However, he specifies that only those who master the Qur'an and Sunna can be qualified to carry out ijtihad.[50] Similar to his narrow view of who is considered a "real" Muslim (i.e. those who conformed to his strict interpretation of the oneness of God (*tawhid*)), he restricts the number of people who are fit to carry out ijtihad to a small number of jurists (*mujtahids*). In other words, he defines Muslims as

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[47] Ibn 'Abd al-Wahhab, "Fatwa wa masa'il," in *Mu'allafat*, vol. 3, 24.
[48] See Delong-Bas, *Wahhabi Islam*, 101-105 for a lengthier discussion on maslaha and naskh.
[49] Ibn 'Abd al-Wahhab, "Fatwa wa masa'il," 23.
[50] Delong-Bas, *Wahhabi Islam*, 109.

Wahhabis, rejecting any sense of pluralism. He accused many mujtahids who were his contemporaries of supporting immorality, causing divisions among Muslims, supporting unjust practices, etc.[51] Additionally, he singles out Shi‘i mujtahids, claiming that their ijtihad is faulty because it is based on the inner knowledge (*batin*) of the Imams.[52] Sufis, then, would also be restricted from ijtihad – because of their reliance on batin. Even for the limited few that can engage in ijtihad, Ibn ‘Abd al-Wahhab suggests that they should only use it on controversial cases.

Although there is little scholarly agreement between Bihbihani, Ibn Idris, and Ibn ‘Abd al-Wahhab, they insisted on the necessity of reinterpreting or re-applying the principles of Islam (outlined in the foundational texts) anew for the modern period – a process that is still underway. Their disagreement is primarily a result of their adherence to their particular school of thought. Ibn ‘Abd al-Wahhab’s Hanbali Sunni school emphasizes a literal reading of the foundational texts. Ibn Idris’ Shadhili Sufism focuses on inner knowledge (*batin*). Bihbihani’s Usuli Shi‘i school promotes a rational approach to the texts. Each of these scholars continued the practice of salient features of their tradition. However, they also advocated changes by reinterpreting their tradition or rejecting aspects of it on the basis of eighteenth century concerns. Therefore, each scholar can be viewed as a link between what came before and after them. Openness to change allowed the successors of these reformers a degree of interpretive latitude and bolstered their authority. In this way, Ibn ‘Abd al-Wahhab, Ibn Idris, and Bihbihani revived and reformed the knowledge and authority associated with their respective schools of thought.

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[51] Ibn ‘Abd al-Wahhab, “Fatwa wa masa’il,” 38.
[52] Ibn ‘Abd al-Wahhab, “Risala fi al-radd ‘ala al-rafidah,” in *Mu’allafat* vol. 4, 29.

In an effort to consolidate their positions of authority, they challenged and even persecuted contemporary scholars representing alternative schools of thought.

Opponents of the Reformers

As argued above, internal, sectarian divisions within Islam represent a hallmark of the early modern period. Such divisions, however, were not new. Since the early medieval period, there had been an ebb and flow in the fault lines between and among Sunnis, Sufis, and Shi‘is. However, during the transitional period of the eighteenth century, divisions became more acute as alternative movements vied for power in a politically decentralized Islamic world. Therefore, Wahhabis contended for power, not only with other Sunnis, but also with Sufis and Shi‘is. Similarly, Idrisis competed with other Sufis, Sunnis, and Shi‘is. Usulis clashed with other Shi‘is, Sufis, and Sunnis. At times, these divisions provoked violence.

The common enemy of Wahhabis, Idrisis, and Usulis was popular Sufism. Each movement sought to suppress popular Sufi rituals that were thought to be un-Islamic. Many elements of Sufism, such as saint worship, were unacceptable to Ibn ‘Abd al-Wahhab because he equated such acts with polytheism (*shirk*), which he argued is the most grievous sin. This line of argumentation has led to many well-known Wahhabi raids on Sufi shrines and their general policy of destroying anything deemed an idol. Not much anti-Sufi rhetoric is found in Bihbihani’s writings. However, he certainly viewed the authority of Sufi masters in direct conflict with Shi‘i jurists (*mujtahids*), whom he argues should have utmost authority. The historical record is also unclear on whether Bihbihani persecuted Sufis. However, Bihbihani’s son, Muhammad ‘Ali Bihbihani, is infamous for his anti-Sufi activity, which is exemplified by his nickname – “The Sufi Killer” (*Sufi-*

*kush*). As a scholar who combined mysticism and strict adherence to the revelatory texts, Ibn Idris' approach was also incongruent with popular Sufi practices. He blamed popular Sufism for the decline of Islamic society. However, unlike Wahhabis and Usulis, there are no records indicating that Ibn Idris or his successors violently persecuted Sufis. That Ibn Idris was against the practice of declaring infidelity (*takfir*) on other Muslims reinforces the idea that he refrained from harming anyone who practiced rituals associated with popular Sufism.

Unlike Ibn Idris, both Bihbihani and Ibn ʻAbd al-Wahhab revived the practice of declaring infidelity (*takfir*) on other Muslims. Bihbihani reserved the declaration of infidelity primarily for Akhbari Shiʻis (see Chapter II). His successors claimed that all popular Sufis, Shaykhis, Akhbaris, and Wahhabis were infidels (see Chapter III). Ibn ʻAbd al-Wahhab declared infidelity on anyone who did not adhere to his narrow view of monotheism (*tawhid*), including all Sufis and Shiʻis. Ibn Idris' primary concern with Wahhabis was their willingness to declare unbelief (*takfir*) on Muslims with whom they disagreed. Concerning Ibn ʻAbd al-Wahhab, Ibn Idris says "He declared those Muslims who had belief in anything other than God…to be unbelievers and…allowed them to be killed and their property to be seized without justification."[53] According to Ibn Idris, it was not the prerogative of jurists to declare anyone an unbeliever. He argued that the declaration of infidelity must come from someone who is infallible, a station only reserved for Prophets.[54] Therefore, according to Ibn Idris, it was because jurists were fallible that they did not have authority to declare anyone an unbeliever.

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[53] Quoted in O'Fahey, "The Enigmatic Imam," 208.
[54] O'Fahey, *Enigmatic Saint*, 69.

## Primary Concerns of the Reformers

The overarching concerns that spurred the activism of the three reformers under consideration are vastly different. Ibn ‘Abd al-Wahhab had two major concerns that informed his activism and scholarship. First and foremost, he saw a necessity for Muslims to return to a strict adherence to monotheism (*tawhid*). In fact, his followers were known among themselves not as Wahhabis, but as *Muwahiddun* (Monotheists or Unitarians). Second, Ibn ‘Abd al-Wahhab was convinced that the Muslim community was in need of socio-moral reconstruction. He lamented that many Muslims during his day did not observe the most basic moral teachings of the Qur’an, such as abstaining from extramarital sex and wine drinking. Therefore, he emphasized the necessity of promoting the moral teachings of the Qur’an. Because he saw religion as a social phenomenon, not to be limited to one’s private life, Ibn ‘Abd al-Wahhab launched a public campaign against licentiousness. He was especially concerned about the moral degradation of those in power and even chastised the Saudi royal family for their opulent lifestyle.[55] Further, Ibn ‘Abd al-Wahhab declared that Muslim clerics had abandoned morality and thus forfeited their religious authority, which provoked an attack against him by the Sunni clerical establishment in Mecca.[56]

Three controversial events illustrate Ibn ‘Abd al-Wahhab’s methods of countering polytheism and immorality. First, Ibn ‘Abd al-Wahhab sent his followers to cut down trees that some of the inhabitants of Uyaynah believed had special powers. He destroyed the most venerated tree himself. Second, accompanied by 600 of Ibn Mua’mmar’s men, Ibn ‘Abd al-Wahhab destroyed the shrine built over the remains of one of the Prophet

[55] Ibn Bishr, *Unwan al-Majd fi Tarikh Najd*, vol. I, 44-46.
[56] Delong-Bas, *Wahhabi Islam*, 30.

Muhammad’s companions, Zayd b. al-Khattab. Because this was a pilgrimage site, many Muslims consider this act of destruction as especially heinous. Ibn ‘Abd al-Wahhab justified his actions by recalling Muhammad’s example of destroying idols in Mecca. Third, Ibn ‘Abd al-Wahhab sentenced a woman to be stoned to death after committing the crime of engaging in sexual intercourse outside of marriage (*zina’*). According to reports of the trial, he ordered her to be stoned after two inquiries, three chances to alter her behavior, and pressure from local clerics.[57] These three acts of destruction were based on Ibn ‘Abd al-Wahhab’s fundamentalist thought and often serve as examples for current-day puritanical and terrorist interpretations of Islam.

Bihbihani’s primary concerns were quite different from those of Ibn ‘Abd al-Wahhab. Idolatry and immorality were not issues on which Bihbihani (or Ibn Idris) focused much attention. Bihbihani’s overarching goal was to overthrow the Akhbari clerical establishment in southern Iraq and establish his rationalist Usuli school of thought in its place. From his scholarship, it is clear that he thought this battle would be won by debating the philosophy of Islamic law and training the next generation of scholars in Usuli methodology. Bihbihani also regularly debated with his colleagues. This was the primary method that he used to overcome his Akhbari nemesis, Yusuf al-Bahrani (d. 1772). Different from Ibn Idris and Ibn ‘Abd al-Wahhab, Bihbihani does not seem to have been interested in spreading his message among the masses. In this way, his activity as a teacher-scholar far outweighs his role as a preacher.

Ibn Idris was firmly committed to his activities as a preacher and teacher. His scant record of writings indicates that preaching was far more important to him than scholarship. His missionary activities carried forward to his successors as each of the

[57] Delong-Bas, *Wahhabi Islam*, 27-8.

religious schools (sing. *zawiya*) that they established was heavily active in spreading his neo-Sufism across much of the Islamic world, especially northern Africa. O'Fahey suggests that the overall significance of Ibn Idris is not the originality of his teachings, but in the large number of students that he trained, which resulted in "traces of Ibn Idris over a large geographical range."[58] I have argued the same for Bihbihani. Ibn 'Abd al-Wahhab was also an influential teacher who trained students, although his disciples were not nearly as illustrious as the students of Bihbihani and Ibn Idris.

## Conclusion

Ibn 'Abd al-Wahhab, Ibn Idris, and Bihbihani founded the most influential Islamic movements in the heartland of the modern Middle East and North Africa. Ibn 'Abd al-Wahhab's Wahhabi movement (in alliance with the Saudi clan) has contributed greatly to the spread of a puritanical, even militant interpretation of Islam throughout much of the Islamic world. More recently, Wahhabism has provided inspiration to terrorist organizations, including Osama bin Laden's network. Bihbihani's Usuli movement has become known for political activism since the late nineteenth century. His successors initially allied themselves with the Qajar state in Iran and shunned politics, but towards the end of the nineteenth century they challenged the government in what grew into a constitutional revolution (1905-1911). In 1979, Usuli clerics, including Ayatollah Khomeini, overthrew a Westernized, secularist government in Iran and currently preside over a theocratic government. Iranian Usulis have since set a new standard for political Islam. Ibn Idris' neo-Sufi successors, especially those associated with the Sanusiyya

[58] O'Fahey, *Enigmatic Saint*, 9.

order, became influential in challenging European colonialism in North Africa. Although not initially involved in politics, Idrisis eventually established political control in Libya.

It would be anachronistic to suggest that Ibn ‘Abd al-Wahhab encouraged terrorism or that Bihbihani and Ibn Idris promoted political Islam. However, each of these figures planted a seed that evolved over time. Ibn ‘Abd al-Wahhab may not have condoned the wanton acts of terror that have come to be associated with contemporary Jihadi networks. However, in hindsight, his puritanical movement was a critical, initial step in the development of Islamic extremism. Ibn ‘Abd al-Wahhab’s acts of destruction and puritanical interpretations de-emphasized the peaceful, pluralistic dynamic of the Sufi-tinged Islam that was dominant between the mid-eleventh and the mid-eighteenth centuries. He advocated a fundamentalist path that was taken to a new extreme by his successors. Similarly, Bihbihani and Ibn Idris could not have dreamed that their movements would eventually gain political power and take control of the state. However, they set processes in motion that made such political gains possible. Bihbihani carved out a more independent, prominent, authoritative social role for Shi‘i clerics. Likewise, Ibn Idris established a network that became useful for political ends. These outcomes were not inevitable. They are the current results of processes that have evolved over time. Similarly, additional currents are presently at work that will change the current state of affairs.

The Islamic reformation that occurred in the eighteenth century was a response to a perceived crisis in Islamic civilization, which resulted from the decentralization and collapse of the pre-modern Islamic “gunpowder” empires. Scholars from each major Islamic tradition (i.e. Sufism, Sunnism, and Shi‘ism) grappled with the challenge of

reconstructing Islamic society. Ibn Idris, Ibn ‘Abd al-Wahhab, and Bihbihani were certainly not the only scholars involved in this process. However, they were the most influential scholars at the head of each tradition. Muslim scholars had long accepted that the Qur’an and Sunna carried absolute authority and were direct sources of divine knowledge. However, eighteenth century scholars began reconsidering the extent to which knowledge extracted from these sources carried authority. Further, they questioned what authority those that produced such knowledge were endowed with. This was not a new question for Muslim scholars. Sources of knowledge and authority had been questioned since the inception of Islam and partially gave rise to early sectarian divisions within Islam. However, the crisis in Islamic civilization created by political decentralization on the eve of modernity brought the questions of knowledge and authority to the forefront of the minds of Muslim scholars.

Neo-Sufism, Wahhabism, and Usulism were distinct movements that coincided in the eighteenth century and taken together can be referred to as an Islamic revival and reformation. The reformers at the head of these three movements advocated change in the tradition that they were reviving. Therefore, they became pitted against other Muslims that did not support their reformist ideology, especially practitioners of popular Sufism. Each of the three movements agreed that the Qur’an and Sunna were the primary sources of sure knowledge and authority. However, they disagreed on how to produce new knowledge on the basis of these texts. Even more, they disagreed on the authority that such knowledge might carry. Additionally, they did not agree on the limits of the authority that should be conferred on religious figures, be they Sufi shaykhs or Usuli mujtahids, who produce new knowledge.

GLOSSARY

***ahl al-bayt*** familial descendents of Muhammad

**Akhbari** traditionist, scripturalist, Twelver Shi‘i school of thought that stresses the importance of scripture as the only real source of knowledge and authority

***‘alim*** scholar, learned

***amal al-ta’ifa*** the righteous sect, reference to Shi‘ism used by Shi‘is

***‘aql*** reason, usually implies Aristotelian logic

***al-‘aql al-hissi*** sensible reasoning

***‘arif*** enlightened knower

***asl*** original legal case

**‘Atabat** lit. thresholds, Shi‘i cities in Iraq, including Najaf, Karbala, Hilla, and Samara which contain shrines for remains of holy Shi‘i figures

***‘azan*** call to prayer

***bab al-ijtihad*** An important debate among early modern Muslim scholars was whether the gate of ijtihad was opened or closed. See also *ijtihad*.

***bab al-‘ilm*** gate of knowledge

***badiha*** common knowledge

***batin*** inner or esoteric knowledge derived through inspiration, as opposed to exoteric knowledge (*zuhur*)

***bida‘*** blameworthy innovation

***dalil*** (pl. *dalala*) indicator, as a legal term *dalil* is a proof that indicates true knowledge

***dalil ‘aqli*** rational indicator

***dalil shar‘i*** indicator from the Lawgiver (God)

***da'wa*** missionary activity

***dhimmi*** protected status granted to non-Muslims by Muslim rulers

***din-i ilahi*** lit. Divine Faith, syncretic belief system of Mughal emperor Akbar

***fana'*** ceasing to exist, annihilation in God, highest state of Islamic mysticism

***fatwa*** legal judgment issued by a legal official

***fiqh*** Islamic jurisprudence

***furqan*** intuitive knowledge

***furu' al-fiqh*** positive law, lit. branches of jurisprudence

**Hadith** collection of reports of the sayings and actions of Muhammad (and the Imams for Shi'is)

***haqiqa*** absolute reality, the ultimate non-relative truth, truth according to God

***hawza*** Shi'i seminary or educational system emphasizing the study of Islamic law, also *madrasa*

***hikma* (or *hikmat*)** mystical philosophy, wisdom

***hikmat al-ilahi*** see *ishraqi*

***al-hikma al-muta'aliya*** transcendent wisdom

***hujja*** (or *hujjat*) proof

***hujjiyya*** probative force, authoritativeness

***hukm*** legal ruling

***'ibadat*** commands related to worship or ritual duty

**Idrisi** early modern Sufi movement established by Ahmad Ibn Idris al-Fasi (1760-1837)

***ihtiyat*** caution

***ijaza*** lit. permission, license or diploma issued from cleric to student indicating the permissibility for the student to exercise the rights of a jurist

***ijma‘*** legal consensus

***ijma‘ zanni*** conjectural consensus

***ijtihad*** independent personal judgment exercised by a jurist (*mujtahid*) based on the principles of Islamic law (*usul al-fiqh*)

***ikhtilaf*** disagreement, opposite of consensus (*ijma‘*)

***‘illa*** ratio legis, rationale, effect cause

***‘ilm*** knowledge

***‘ilm al-khawass*** special knowledge

**Imam** According to Shi‘is, Imams are successors of Muhammad, believed to be endowed with infallibility (*‘isma*)

***imam jum‘a*** Friday prayer leader

**Ishraqi** (or *hikmat al-ilahi*) theosophy or illuminationist philosophy that originated with Shihab al-Din Yahya Suhrawardi (d. 1191), who promoted the idea that true knowledge is the result of both rational and intuitive emanations from the mind

***‘isma*** sinless, infallible, see *ma‘sum*

***isnad*** chain of transmission of a hadith report

***istihsan*** juristic preference

***istishab al-hal*** presumption of continuance

***istislah*** public welfare or interest

***jahiliyya*** ignorance

***jihad*** holy war, struggle

***jizya*** head tax paid to Muslim rulers by non-Muslims

***kadkhoda*** village leader

***kafir*** (pl. *kuffar*) infidel, unbeliever

***kalam*** theology

***karamat*** miraculous phenomena

***kashf*** divine inspiration, intuitive revelation

**Kashfiyya** see Shaykhi

***khabar*** (pl. *akhbar*) hadith report

***khabar al-wahid*** (pl. *akhbar al-ahad*) isolated hadith report, hadith report that does not have multiple transmitters

***khawass*** elite, special

***khums*** (lit. one-fifth) Islamic tax paid on specific items

***lisan*** language

***lugha*** language, linguistic

***al-lugha al-'urfiyya*** customary language

***luti*** thug, gang, homosexual

***madhhab*** school of Islamic legal thought

***madrasa*** school, often denoting religious school

***mafhum*** (pl. *mafahim*) linguistic implication

**Mahdi** Hidden Imam, According to Twelver Shi'is, the Mahdi (Muhammad al-Mahdi) is the twelfth Imam, who has been in a state of spiritual occultation since 873 CE. In other words, the Mahdi (or *qa'im*, lit. the one who will arise) did not die, but is also not physically present in the world – although he allegedly may periodically manifest himself on the physical plane

***marja' al-taqlid*** (lit. source of emulation), Shi'i jurist (*mujtahid*) whose legal judgments are emulated by lay Shi'is (*muqallid*)

***maslaha*** public interest, common benefit

***ma'sum*** infallible, sinless, often attributed to the Shi'i Imams

***matn*** text of a hadith report

***millet*** confessional community

***mirghadab*** executioner

***mu'amalat*** non-ritual legal duties

***mu'assis*** founder

***mufti*** legal judge

***mujaddid*** renewer or reviver of Islam thought to appear every century. Based on the prophetic hadith: "At the beginning of every hundred years, God will send a person who will revive the religion (i.e. Islam) for the community (*ummah*)."

***mujtahid*** legal scholar who carries out *ijtihad*

***mukallaf*** sane person who is subject to the law

***mulazama*** belief that revelation and reason are in complete agreement

***mullabashi*** lit. head cleric, highest ranking government appointed cleric, especially in the Safavid period

***muqallid*** emulator, follower of a *mujtahid*, lay Shi'i

***murawwij*** reviver

***mutashabih*** unclear, ambiguous Qur'an verse

***mutawatir*** widespread, hadith report transmitted through multiple chains of hadith transmitters

**Muwahiddun** lit. Monotheists, Unitarians, title by which Wahhabis initially referred to themselves

***na'ib*** deputy, see *al-niyaba al-'amma*

***najes*** ritual impurity

***naql*** scripture, foundational Islamic texts (i.e. Qur'an and Hadith)

***al-niyaba al-'amma*** general vicegerency on behalf of the Imam

***qadi*** Islamic legal judge

***qarina*** textual evidence used to derive a non-literal meaning

***qat'*** legal certainty

***qiyas*** analogy, principle used by some legal scholars to formulate a new law

***qizilbash*** lit. read head, supporters of Shah Isma‘il who assisted him in establishing the Safavid dynasty

***qutb al-zaman*** axis of the age

***ra'y*** personal legal judgment

***rijal*** Hadith transmitters

***riwayat*** companions of Muhammad

***sadr*** chief religious dignitary

***sahib al-zaman*** Lord of the age, one of the titles of the Mahdi

***shakk*** legal doubt, opposite of certainty (*qat*‘)

***shafa‘a*** intercession

***salah*** prayer

***sharh*** (pl. *shuruh*) textual commentary

***shari‘a*** God's law

***shaykh*** (or ***pir***) Sufi master

**Shaykhi** Shi‘i school of thought established by Shaykh Ahmad al-Ahsa'i, also known as Kashfiyya

***shirk*** idolatry, polytheism

***silsila*** chain

**Sunna** Islamic legal custom and practice

***ta‘adiyya*** transference, method of transferring a ruling from an original case to a novel case

***ta‘arud*** contradiction found within revelatory texts

***tabaqat*** biographical dictionaries of Shi‘i clerics

***tabarra'iyan*** those who publicly curse the first two Caliphs

***tafsir*** explanation of revelatory texts

***takfir*** declaration of unbelief or infidelity

***takhyir*** legal choice

***taklif*** legal obligation

***tanqih al-manat*** discovering the rationale of a law with certainty

***taqiyya*** dissimulation

***taqlid*** emulation of an Islamic scholar's legal judgment(s), precedent

***taqwa*** fear of God

***tariqa Muhammadiyya*** brotherhood or Sufi order of Muhammad

***tawqifi*** (or ***tawaqquf*** ) suspension of a legal decision

***tawhid*** monotheism, oneness of God

***ta'wil*** interpretation of a text, exegesis

***'ulama*** religious scholars

***'urf*** custom, customary

***usul al-din*** theological principles

***usul al-fiqh*** principles of Islamic law

**Usuli** rationalist, Twelver Shi'i school of thought that accepts the use of ijtihad and other extra-textual methods of deriving knowledge and authority. Usulis are often referred to as Mujtahids.

**Wahhabi** puritanical Sunni movement established by Muhammad Ibn 'Abd al-Wahhab (1703-1792), also known as Muwahiddun

***wahy*** prophetic revelation, the manner in which Muhammad received the Qur'an from God

***waqf*** religious endowment

***al-wilayat al-takyini*** cosmic guardianship

***yaqin*** certainty

***al-yaqin al-'adi*** ordinary certainty

***zahir*** outer or exoteric knowledge, as opposed to esoteric knowledge (*batin*)

***zann*** legal opinion, probability

***zawiya*** Islamic religious school or monastery

***zikrullah*** remembrance of God

***zina'*** extramarital sex

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